

Case No. 96660-5

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**IN THE SUPREME COURT OF THE STATE OF WASHINGTON**

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MARK ELSTER and SARAH PYNCHON,

Plaintiffs-Appellants,

v.

CITY OF SEATTLE, a Washington municipal corporation,

Defendant -Respondent

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**AMICUS CURIAE BRIEF OF THE RENTAL HOUSING  
ASSOCIATION OF WASHINGTON**

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## **INTRODUCTION**

The City of Seattle's Democracy Voucher Program (Voucher Program) taxes property owners to provide funds to distribute vouchers to City residents. With these vouchers, residents can give money to their particular candidates for City offices, but can be used for no other purpose. Because the money is taken from one group of people and given to others for the purely political campaigns of their choice, the Voucher Program violates the First Amendment right of individuals not to be forced to pay for someone else's political campaigns. The Rental Housing Association of Washington (RHA) urges this Court to reverse the trial court decision approving this infringement of individual rights.

## **STATEMENT OF THE CASE**

The RHA adopts the Statement of the Case in the Appellant's Opening Brief. The essential facts are that the City has employed the Voucher Program whereby all property owners are taxed and then vouchers are given to residents to use in support of political campaigns of city officials. Handing out vouchers to residents is essentially doling out money that they can use only for political campaigns.

The first use of vouchers was in 2017. The Voucher Program was analyzed in studies by the University of Washington (attached hereto as Exhibit A) and by BERK Consulting, commissioned for the Seattle Ethics

and Election Commission (attached hereto as Exhibit B). These studies both concluded that in the last municipal election vouchers were used by “[w]ealthy, white and older residents” more than “low-income, younger and nonwhite residents.” Ex. A at 1; Ex. B at ii.

Also contrary to its purpose, the Voucher Program did not overwhelmingly increase the number of people to contribute to campaigns who had never made political contributions before. “Individuals who were already politically engaged ... were more likely to return their vouchers.” Ex. A at 1. And the program was unused by the vast majority of Seattleites. Only 3.4% of the Seattle population used the vouchers at all. Ex. B at 35.

Nor did the Voucher Program shrink the role of big money in campaigns. While there were numerically more dollar contributions at the smaller level in 2017 than in 2015, the total campaign spending increased significantly in just one election cycle—by 60%. Ex. B at i-ii. Tellingly, the presence of vouchers or any public funding typically increases independent expenditures. Ex. B at ii.

Additionally, the new program does not reduce fraud or corruption, but simply creates new opportunities for fraud.<sup>1</sup> *See also* Ex. B at 5 (Oregon example). Unscrupulous persons can gather vouchers from those residents who see no direct monetary value to themselves, but when bundled together can be quite valuable to campaigns.

The minimal increase in expanding citizen participation in campaigns with a corresponding doubling down on majoritarian influence is accomplished at a disproportional cost. According to the City's biennial report (attached hereto as Exhibit C), the Voucher Program cost \$3.2 million to disperse a net \$1.1 million in contributions. Ex. C at 25. This disproportionality means that Seattle residents who pay the tax would have more money available for their own political contributions if the Voucher Program were never adopted. But that, of course, is the point. Without the Voucher Program tax, people would have the liberty to use their funds for any purpose they choose which might not be campaigns for City officials and might not be for political campaigns at any level.

Because the vouchers are funded via a property tax levy, landlords end up funding the political contributions of tenants. As a result, landlords fund the contributions of the very people likely to have political interests

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<sup>1</sup>*See* <https://www.seattletimes.com/seattle-news/politics/former-seattle-city-council-candidate-hit-with-criminal-charges-in-vouchers-program/>.

adverse to their own, especially in Seattle. Because the funds are distributed to campaigns at the complete discretion of residents, the funds will be used to perpetuate the viewpoints of officials whom these voters elected.

### **STATEMENT OF INTEREST OF AMICUS CURIAE**

Formed in 1935, RHA is a nonprofit organization that provides education and assistance to approximately 5100 members regarding compliance with rental housing laws and regularly advocates for uniformity and fairness in state and local policymaking. Many of RHA's members own rental property in Seattle and many own rental property in Seattle, but live outside Seattle and therefore have no opportunity to utilize the program they must finance.

The average RHA member owns between 2 and 3 units, but the membership spans from the owners of apartments with hundreds of units to people who rent a single accessory dwelling unit or even rent a room, often on a temporary basis for work, personal or financial reasons. Given the relatively low average number of units, the vast majority of the RHA's membership is on the lower end of the numerical scale and are basically “mom and pop” owners of one or two rental units—people seeking to supplement their income with extra space they may have.

RHA members are deeply concerned that they are being required to pay for the pure political speech of others—including tenants who may be on the opposite side of issues in Seattle.<sup>2</sup>

## **ARGUMENT**

### **I**

#### **THE VOUCHER PROGRAM VIOLATES THE FIRST AMENDMENT RIGHT NOT TO FUND THE POLITICAL SPEECH OF OTHERS**

##### **A. The First Amendment protects the freedom of mind to abstain from contributing to the political advocacy of others.**

The First Amendment protects, not only the right to speak, but also the right to refrain from speaking, thereby ensuring that the choice to participate in the support of public dialogue remains freely in the hands of the individual, rather than taken and given to support the speech of others.

Two basic principles are at stake. First, compelled speech is as odious as compelled silence or restricted speech. In *Abood v. Detroit Bd. of Educ.*, 431 U.S. 209 (1977), *overruled on other grounds in Janus v. Am. Fed’n. Sch., Cnty and Mun. Emp. Council 31*, 585 U.S. \_\_\_, 138 S. Ct. 2448 (2018), the Court recognized that “the fact that the appellants are

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<sup>2</sup> The initiative which created the Voucher Program has other conflicts with the First Amendment that directly impact that RHA. For instance, because RHA contributed over \$5,000 for a lobbyist in 2017, it was completely prohibited from contributing anything to any city candidates. SMC 2.04.602A.

compelled to make, rather than prohibited from making, contributions for political purposes *works no less an infringement of their constitutional rights.*” *Abood*, 431 U.S. at 234 (footnote omitted; emphasis added).

Second, funding to support speech is not merely related to speech; it is itself “pure speech.” *Buckley v. Valeo*, 424 U.S. 1, 15 (1976).

These principles have a long tradition, united by Thomas Jefferson when he wrote:

to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical.

I. Brant, JAMES MADISON; THE NATIONALIST, at 354 (1948), *quoted in* *Keller v. State Bar of Cal.*, 496 U.S. 1, 10 (1990).

Furthermore, several cases tie the freedom to think, to speak and to believe together as encompassing a freedom of the mind that the First Amendment vigorously protects.

If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein.

*W. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943) (concluding that the compulsory flag salute violated the First Amendment).

The right to speak and the right to refrain from speaking are complementary components of the broader concept of “individual freedom of mind.”

*Wooley v. Maynard*, 430 U.S. 705, 714 (1977) (quoting *Barnette*, 319 U.S. at 637).

The First Amendment protects the individual’s liberty to choose what to believe, what to say, what not to say and what cause, if any, to promote. Therefore, forcing a group of people—here, property owners—to support political campaigns based on the views of individual residents is completely repugnant to the First Amendment and its protection of the freedom of mind.

**B. The trial court failed to subject the Voucher Program to any meaningful scrutiny.**

The trial court recognized that the Voucher Program implicated First Amendment rights, but concluded the compelling state interest test did not apply because the program was viewpoint neutral. CP at 113. That court concluded that the complaint should be dismissed on the pleadings because there was a “reasonable justification,” namely, the Voucher Program increased voter participation in political campaigns. CP at 112, 115.

“Reasonable justification” is not the standard. The Supreme Court in *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*, 564 U.S.



721 (2011), reiterated that similar burdens on First Amendment rights could be tolerated only if they were “‘justified by a compelling state interest.’” *Id.* at 748 (quoting *Fed. Election Comm’n v. Mass. Citizens for Life, Inc.*, 479 U.S. 238, 256 (1986)). The trial court erred in rejecting this test.

**1. Funding through the Voucher Program is not viewpoint neutral but completely at each voucher holder’s personal and subjective choice.**

Viewpoint neutrality does not eliminate the compelling state interest test, but the trial court erred in concluding that the program is viewpoint neutral, apparently as a matter of law. While the City does not directly determine which campaigns to fund, that decision is made by the constituents of council-members who use the funds to directly promote the candidacies they choose. The choice is not made in a viewpoint neutral manner. Campaigns will receive funds, not based on objective standards, but because residents seek to advance their candidates and their particular views. As in *Board of Regents of the University of Wisconsin System v. Southworth*, 529, U.S. 217 (2000), when the decision is left to individuals to decide what speech to fund without any objective criteria, the result cannot be viewpoint neutral.

Additionally, funding multiple campaigns does not attenuate the constitutional injury. It simply means that people are forced to contribute

for the espousal of the viewpoints of more than one unwanted campaign. It compounds, not attenuates, the problem.

If this program were constitutional, property owners could be required to fund highly odious campaigns by those who use the scheme for funding their own political or ideological speech. Campaigning for public office is a convenient platform for promoting ideas, including ideas that engender strong opposing beliefs—like white supremacy, anti-Semitism or anarchy. Proponents of these ideas all have a right to speak, but none have a right to force people to be the financiers of their message. And citizens have the First Amendment right not to be the sponsor of someone else’s campaign.

**2. The Voucher Program does not fulfill any legitimate purposes in the least restrictive manner.**

As part of the rigorous compelling state interest test, the City has the burden to prove there are no less restrictive means of accomplishing whatever compelling interest that might possibly justify forcing some people to pay for the speech of others. *Ashcroft v. American Civil Liberties Union*, 542 U.S. 656, 666 (2004).

This burden may be difficult because the program the City defends was created by initiative—a legislative process without the typical legislative deliberations and considerations of multiple options available when the City is normally enacting a new ordinance. Nonetheless, the

evaluation of the least restrictive means should have been considered at the trial court level, but was not.

The Voucher Program cannot be justified on the basis that by providing funds to campaigns that might otherwise not receive significant funding, The Supreme Court has warned that such leveling of election opportunities is a “dangerous enterprise and one that cannot justify burdening protected speech.” *Ariz. Free Enter.*, 564 U.S. 721,750 (2011).

“Leveling the playing field” can sound like a good thing. But in a democracy, campaigning for office is not a game. It is a critically important form of speech. The First Amendment embodies our choice as a Nation that, when it comes to such speech, the guiding principle is freedom—the “unfettered interchanges of ideas”—not whatever the State may view as fair.

*Id.* (quoting *Buckley*, 424 U.S. at 14).

Because there is no constitutional power to force people to pay for purely political advocacy, the Voucher Program cannot be justified on any recognized standard, let alone the compelling governmental interest test.

## II

### EVEN IF THE VOUCHER PROGRAM IS VIEWED AS THE EXPENDITURE OF PUBLIC FUNDS, DESPITE IT DERIVING FROM A UNIQUE GROUP OF TAXPAYERS, IT RUNS AFOUL OF THE FIRST AMENDMENT AND WASHINGTON LAW

Respondents have argued that First Amendment rights are not violated because the vouchers are simply committing public funds for campaigns

which was generally allowed in *Buckley*. Resp. Br. of City, at 23-24. Importantly, however, the funding in *Buckley* was subject to completely objective criteria. *Buckley*, 424 U.S. 1. As addressed above, the analysis that these are public funds is inapt because Seattle property owners pay a unique charge to advance the personal political views of others whose decision on which campaigns to fund is completely personal. <https://drafting.westlaw.com/>

Nonetheless, even if the funds from the Voucher Program are viewed as public funds being made available for political purposes through an objective public distribution system (which it is not), the use of public funds to finance the political campaigns of others still has a First Amendment effect and is contrary to Washington law prohibiting the injection of public funds into campaigns. There is no conceptual difference between city council members directing money to campaigns themselves and their constituents doing so. Both involve public funds for no purpose other than to influence the outcomes of elections.

**A. The First Amendment prohibits the expenditure of public funds to finance political campaigns based on subjective criteria.**

The use of public funds to support the political speech of others has the effect of implicating the free speech rights of those who do not receive the public funds and oppose the recipient of the public funds. This is clear

from *Arizona Free Enterprise Club*, 564 U.S. 721 and from *Davis v. Fed. Election Comm’n*, 554 U.S. 724 (2008). In both cases, a matching fund scheme where candidates could receive public funds based on their opponents’ level of funding burdened the speech of candidates with a government funded opponent. The First Amendment protects the speech of those **who pay for** the advocacy, but also the speech of those **who compete with** government-funded advocacy.<sup>3</sup>

The Voucher Program violates this protection of competing speakers in three ways. First, it provides funding for some, but not all candidates, and forces a choice among candidates. In *Davis*, the Court concluded that candidates’ First Amendment rights were violated because the scheme forced a candidate “to choose between the First Amendment right to engage in unfettered political speech and subjection to discriminatory fundraising limitations.” *Arizona Free Enter.*, 564 U.S. at 739 (quoting *Davis*, 554 U.S. at 739).

Second, the Voucher Program has a provision for triggering a release from the fundraising restrictions on candidates who receive funds from vouchers. To be able to receive funds from vouchers, candidates must agree to lower contribution limits. *Cf.* SMC 2.04.630B.3 (\$250 limit for

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<sup>3</sup> In the First Amendment context, this Court can and should consider the rights of those not before the Court. *See Broadrick v. Okla.*, 413 U.S. 601, 612 (1973).

city council races for voucher candidates) *with* SMC 2.04.370B (\$500 limit for non-voucher candidates). But the program has a trigger for relieving the voucher-supported candidate from these lower limits conditions for receiving vouchers. When voucher candidates' opponents have a greater campaign valuation, that triggers the release of the voucher candidate from the lower contribution limit per contributor and the total campaign valuation limit. SMC 2.04.634B.

The trigger for release from the lower contribution limits is either when an opponent's campaign valuation **or** "the sum of an opponents' campaign valuation **and independent expenditures** either adverse or in favor of an opponent" has exceeded the valuation for the voucher candidate. SMC 2.04.634B.

By including independent expenditures in this grounds for release from the limits, which a candidate has no control over, a campaign opposed to a voucher supported campaign could work hard to keep contributions below the \$300,000 valuation limit. But all it takes is someone independently to expend one dollar and that results in the opposing voucher candidate being able to raise \$300,000 through vouchers and then another \$300,000 because relief from the lower limit has been triggered. As concluded in *Arizona Free Enterprise Club*, "[i]ncluding

independent expenditures in the matching funds provision cannot be supported by any anticorruption interest.” 564 U.S. at 751.

Third, “campaign valuation” is defined as “[t]he greater of: a. Total contributions received; and b. Money spent to date (equal to prior expenditures, plus debts and obligations).” SMC 2.04.634A.2. This definition includes candidates’ own money in the calculation that would trigger the release of opposing voucher candidates from the lower limits after receiving money from vouchers. So a candidate who uses his or her own money runs the risk that an opponent will receive voucher money and be released from all limits resulting in an unfair subsidy of speech. Again, the Supreme Court explained: “The matching funds provision counts a candidate’s expenditures of his own money on his own campaign as contributions, and to that extent cannot be supported by any anti-corruption interest.” *Arizona Free Enter.*, 564 U.S. at 751.

Therefore, candidates who choose to forgo the opportunity to be funded through vouchers may have opponents who have the benefit of a public subsidy, but are released from the lower limits on fundraising that was the condition for receiving the money from vouchers in the first place. This violates the First Amendment rights of those non-voucher candidates.

Finally, while vouchers provide more funds for campaigns which equates to more speech, that “more speech” argument is insufficient.

Thus, even if the matching funds provision did result in more speech by publicly financed candidates and more speech in general, it would do so at the expense of **impermissibly burdening (and thus reducing)** the speech of privately financed candidates and independent expenditure groups. This sort of “beggar thy neighbor” approach to free speech—“restrict[ing] the speech of some elements of our society in order to enhance the relative voice of others”—is “wholly foreign to the First Amendment.”

*Arizona Free Enter*, 564 U.S. at 741 (quoting *Buckley*, 424 U.S. at 19 (emphasis added)).

The direct result of the speech of privately financed candidates and independent expenditure groups is a state-provided monetary subsidy to a political rival. That cash subsidy, conferred in response to political speech, penalizes speech.

*Arizona Free Enter.*, 564 U.S. at 742.

The Voucher Program burdens the property taxpayers in forcing them to support pure political speech which they oppose. It burdens candidates who choose not to participate in the program because it provides public funds to candidates in an attempt to equalize the resources—the speech—of the various candidates. Even if the public funds encourage “more speech” it impermissibly does so at the expense of others.

**B. Use of public funds for political campaigns is contrary to the Washington constitution’s mandate for free and equal elections.**

The use of public funds to promote or oppose political campaigns is contrary to the State constitution’s promise of “free and equal” elections.



Article I, Section 19, Washington Constitution. To allow a city, for example, to spend public funds on the candidates that the mayor or city council chooses would be inconsistent with elections being free and equal. It is no different to give the wealth of the City under the control of elected City officials to the voters who elect those officials to ensure that the sitting officials, or others who espouse their same views, remain in power.

The free and equal language in Article I, Section 19 of the Washington Constitution was taken from the previously adopted Oregon constitution using that same phrase. *Foster v. Sunnyside Valley Irr. Dist.*, 102 Wn.2d 398, 405 (1984). The Oregon Supreme Court has explained what the “free and equal” language was designed to protect.<sup>4</sup>

The principles of representative government enshrined in our constitutions would **limit government intervention on behalf of its own candidates or against their opponents** even if the First Amendment and its state equivalents had never been adopted. ... Related assumptions about representative government may be found in Oregon Constitution Article II, section 1: “All elections shall be free and equal.”

*Burt v. Blumenauer*, 299 Or. 55, 67, 699 P.2d 168, 175 (1985) (emphasis added).

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<sup>4</sup> Other state court decisions interpreting the language in their state constitutions are useful for interpreting identical language in the Washington constitution. See *Washington Water Jet Workers Ass’n v. Yarbrough*, 151 Wn.2d 470, 496-97 (2004).

Other courts have similarly condemned the use of public funds to influence elections on grounds related to, but distinct from, the First Amendment. In *Stanson v. Mott*, 17 Cal.3d. 206, 213-19, 130 Cal. Rptr. 697, 551 P.2d 1 (1976), the California Supreme Court explained that public funds used to influence elections conflicted with national democratic principles and not just California law.

A fundamental precept of this nation's democratic electoral process is that the government may not ...bestow an unfair advantage on one of several competing factions. A principle danger feared by our country's founders lay in the possibility that the **holders of governmental authority would use official power improperly to perpetuate themselves, or their allies, in office.**

*Id.* at 217 (emphasis added).

It would be establishing a dangerous and untenable precedent to permit the government or any agency thereof to use public funds to disseminate propaganda in favor of or against any issue or candidate. This may be done by totalitarian, dictatorial or autocratic governments but cannot be tolerated, directly or indirectly, in these democratic United States of America.

*Miller v. Miller*, 87 Cal. App. 3d 762, 769-770, 151 Cal. Rptr. 197 (1978).

While there are no Washington cases directly dealing with this provision, other examples in this state's legal fabric support the principle that public funds should not be used to promote political campaigns. *See Knudsen v. Washington State Executive Ethics Bd*, 156 Wn. App. 852 (2010) (state resources used in violation of RCW 42.17A.635); *State ex rel. Port of Seattle v. Superior Court of King County*, 93 Wash. 267 (1916)

(port not authorized to use public funds for campaigning); *Port of Seattle ex rel. Dunbar v. Lamping*, 135 Wash. 569 (1925). The concept of using public funds to promote specific election campaigns—and not others—is completely contrary to the state’s longstanding commitment to use public funds only for facilitating elections, not promoting campaigns. The prohibition on using public funds to support or oppose legislation suggests the obvious—that city funds should not be used to fund candidacies for city officials any more than the state’s funds should be used to elect the governor.

The principle that public funds should not be used for the promotion or opposition of political candidates should be explicitly recognized, whether as a part of the “free and equal” requirements for elections in Article I, Section 19 of the Washington constitution or under the First Amendment. Tax dollars for campaigns may be appropriate in other governmental systems, but not for Washington State.

### **III**

#### **THE TRIAL COURT ERRED IN DISMISSING ELSTER’S CLAIMS ON A MOTION TO DISMISS**

In a motion to dismiss, evidence of relevant facts supposedly do not matter because all facts are presumed true, including hypothetical facts. *Kinney v. Cook*, 159 Wn.2d 837, 842 (2007). Dismissal should be granted

“sparingly and with care” and “only in the unusual case in which plaintiff includes allegations that show on the face of the complaint that there is some insuperable bar to relief.” *Hoffer v. State*, 110 Wn.2d 415, 420 (1988), *on reconsideration in part*, 113 Wn.2d 148 (1989) (citations omitted).

Nothing demonstrates the impropriety of the trial court’s dismissal of Appellants’ complaint quite as ably as the amicus brief of Washington CAN!, *et al*, filed in the Court of Appeals. The amicus brief includes quotations from individuals and apparent experts, without any opportunity to test the veracity or foundation of any of them. These amici supporting the City want this Court to hear testimony, but with no opportunity to cross examine or challenge the foundation of anything they quote. If this is relevant and admissible—and some of it may be—it should be subjected to the normal trial court fact finding process. And the RHA recognizes its exhibits also should be subjected to evidentiary rules unless they may be judicially noticed. Trial of facts does not belong in an appellate court.

The trial court’s decision to dismiss this case on the pleadings was erroneous.

## **CONCLUSION**

While the Voucher Program is new, attempts to force people to sponsor political campaigns with which they disagree has been historically

rejected from Thomas Jefferson to the present. The First Amendment rejects such a paternalistic attitude when it comes in forced free speech.

Instead of requiring students to raise their hands in support of an ideology as in *Barnette*, 319 U.S. 624, the City requires property owners to reach into their pockets in support of the campaigns of others. The idea that Seattle residents may pledge allegiance—or at least financial support—with someone else’s money to multiple candidates does not heal the constitutional infirmity. It only inflames it. The RHA urges this Court to reverse.

Respectfully submitted this 29<sup>th</sup> day of March, 2019, by

STEPHENS & KLINGE LLP

/s/ Richard M. Stephens

Richard M. Stephens, WSBA 21776

## DECLARATION OF SERVICE

I declare under penalty of perjury that I filed with the court and served electronically to all counsel of record via the Court's electronic service system and via e-mail as follows:

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Dated this 29<sup>th</sup> day of March, 2019 in Woodinville, Washington.

/s/ Richard M. Stephens  
Richard M. Stephens

Exhibit A



### Expanding Participation in Municipal Elections: Assessing the Impact of Seattle's Democracy Voucher Program

#### Executive Summary

In 2015, voters in Seattle approved the Democracy Voucher program to radically reshape the way municipal elections are funded. By providing vouchers to every registered voter in the city, the program aimed to broaden the donor pool and diversify contributors in local elections. Seattle is the first city in the United States to implement this type of public financing program.

Launched in the 2017 election, the Democracy Voucher initiative successfully increased the number of residents participating in the campaign finance system. In total, 20,727 residents in Seattle returned their vouchers – more than twice the number that made a cash contribution to a local political candidate. About four percent of Seattle residents participated in the program.

While the Democracy Voucher initiative increased participation in the campaign finance system, some groups of Seattle residents were more likely to return their vouchers than others. Wealthy, white and older residents were more likely to participate in the

program than low-income, younger and non-white residents. Individuals who were already politically engaged, as measured by previous voting behavior, were more likely to return their vouchers than registered voters who rarely voted in elections. These differential rates of return by race, income, age and political engagement create opportunities for program improvements in 2019.

The Democracy Voucher program is beginning to move the contributor pool in a more egalitarian, representative direction. Compared to cash contributors in the 2017 election, participants in the Democracy Voucher program were generally more representative of the Seattle electorate. Low- and moderate-income residents comprise a substantially larger share of voucher users than cash donors. Voucher users are more likely than cash donors to come from the poorest neighborhoods in the city. Residents under 30 years old make up a larger share of voucher users than cash donors.

#### Who Participated in the Democracy Voucher Program?

The Democracy Voucher program substantially increased the number of Seattle residents participating in the campaign finance system. The number of Seattle residents making a cash contribution in the municipal elections rose from 8,234 in 2013 to 10,297 in 2017. Of these contributors in 2017, 4,960 contributed to a candidate for City Attorney or City Council. By contrast, 20,727 people in Seattle returned their vouchers. [Figure 1]

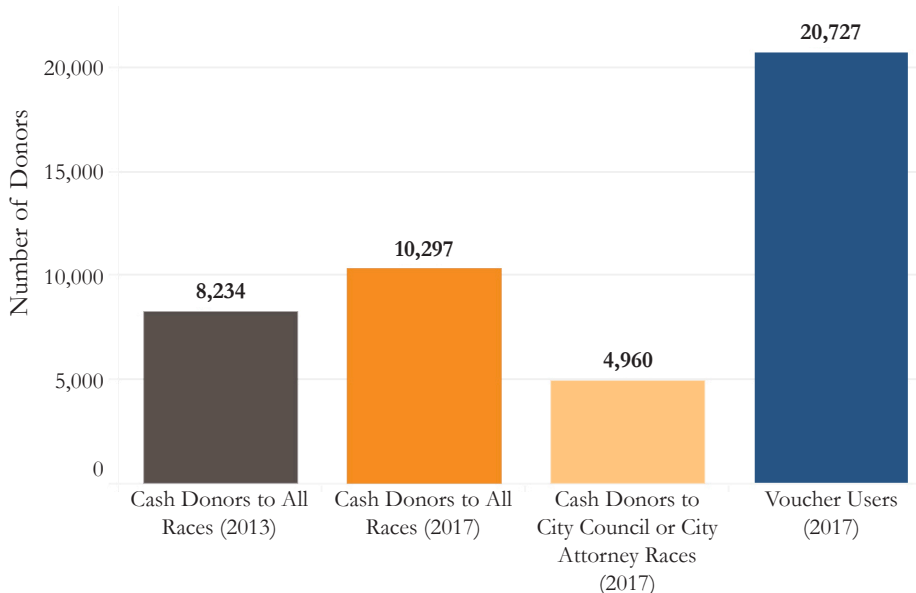


Figure 1: Total Number of Cash Donors and Voucher Users



While the absolute number of Seattle residents participating in the local campaign finance system increased, participants still represent only a small fraction of the electorate. About 4 percent of eligible individuals returned their vouchers.

Participation in the Democracy Voucher program varied substantially across demographic groups. Older residents in Seattle were three times more likely to participate than younger residents. More than 6 percent of Seattle residents over the age of 60 returned their vouchers, but only 2 percent of residents between the ages of 18-29 did so. [Figure 2]

Whites were almost twice as likely to return their voucher as blacks. More than 4 percent of white Seattle residents returned their voucher but only 2.4 percent of black residents participated. In fact, whites were substantially more likely to return their voucher than every other racial and ethnic group in the city. [Figure 3]

High-income residents in Seattle participated in the Democracy Voucher program at a substantially higher rate than low-income residents. More than 5 percent of individuals with an annual income above \$75,000 participated in the Democracy Voucher program, but only about 2 percent of individuals with an annual income below \$30,000 participated in the program. [Figure 4]

Finally, citizens who were already engaged in the political system by regularly voting in general elections were much more likely to return their vouchers than those who voted infrequently or not at all. Among registered voters who voted in every election for which they were registered, more than 8 percent returned their Democracy Vouchers. On the other hand, among registered voters who voted in fewer than half of the elections for which they were eligible to vote, only about 1 percent participated in the Democracy Vouchers program. [Figure 5]

While the Democracy Voucher program increased the number of people participating in the local campaign finance system, the rate of participation varied widely across groups. Although the program pushed participation in the local campaign finance system to an all-time high in Seattle, historically under-represented groups were less likely to participate in the program. These findings create an opportunity for community stakeholders to further engage under-represented groups to increase their participation in the Democracy Voucher program.

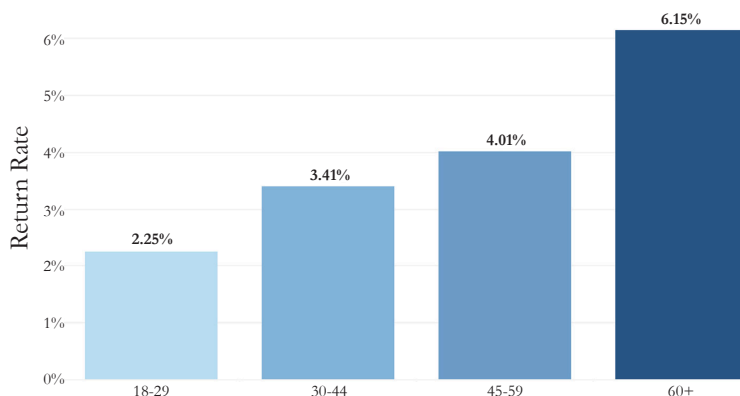


Figure 2: Democracy Voucher Return Rate, by Age

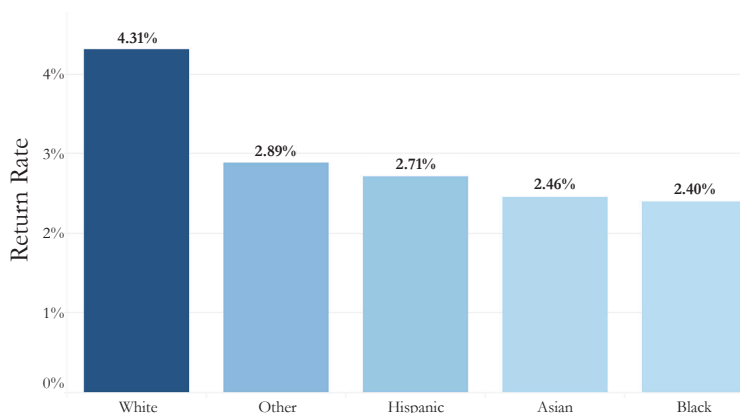


Figure 3: Democracy Voucher Return Rate, by Race

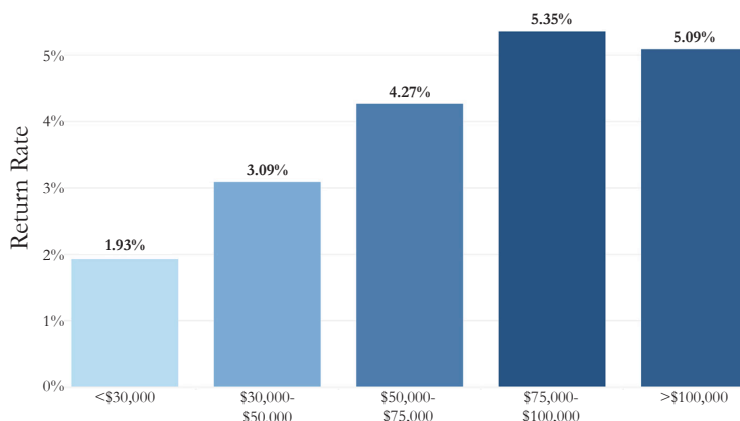


Figure 4: Democracy Voucher Return Rate, by Income

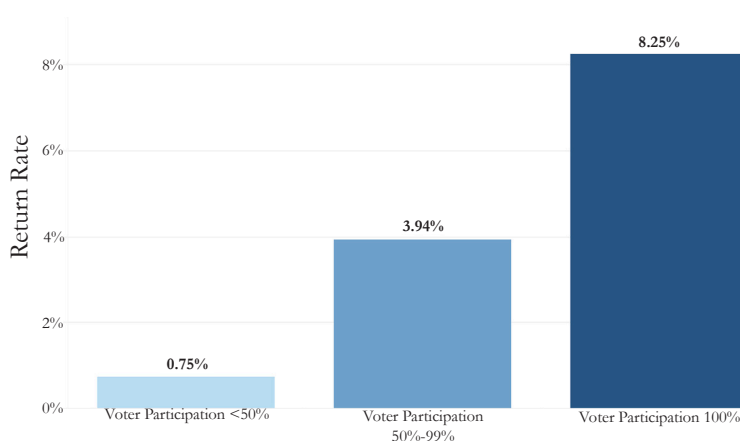


Figure 5: Democracy Voucher Return Rate, by Political Participation

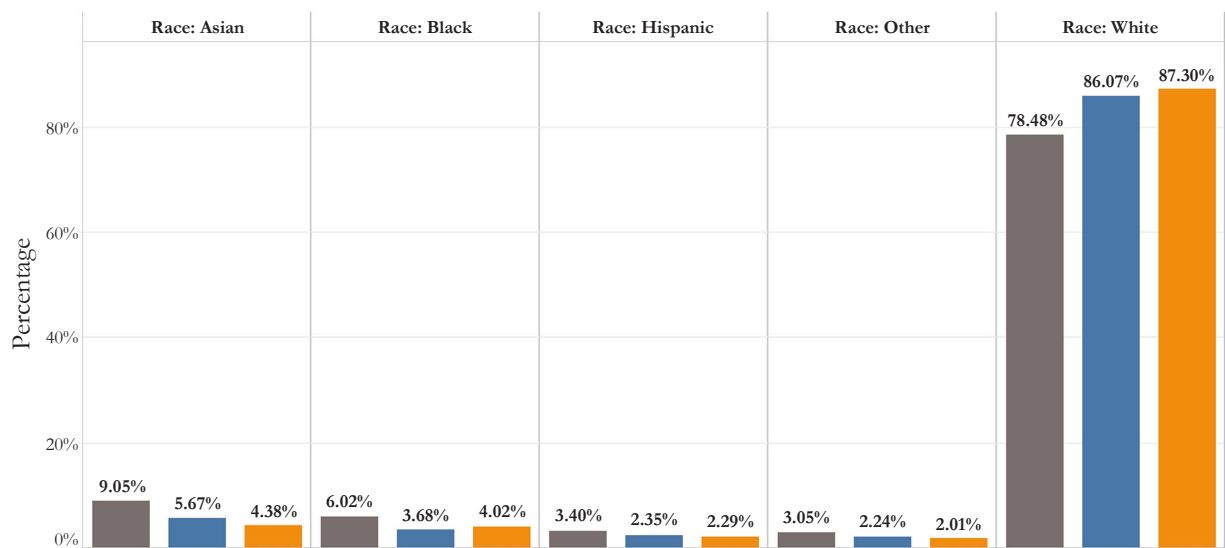
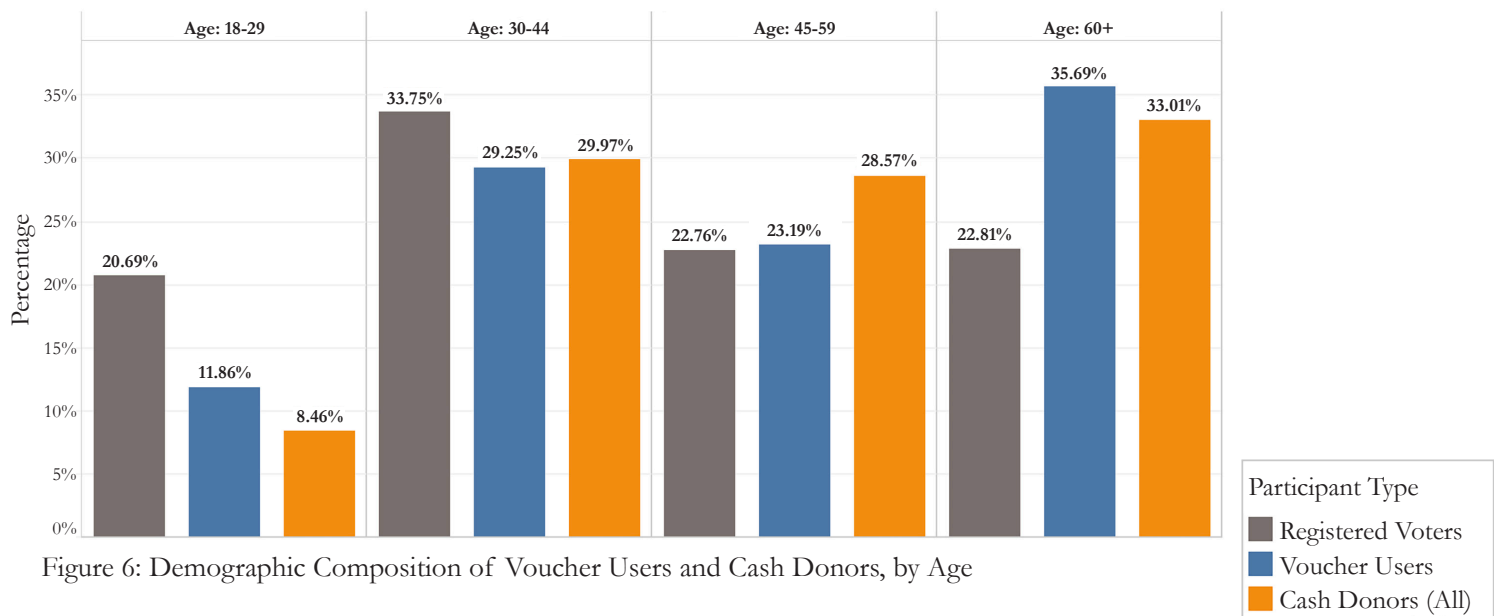
## How Do Participants in the Democracy Voucher Program Differ from Cash Donors?

The Democracy Voucher program aimed to diversify the pool of campaign contributors in local elections. In previous election cycles, candidates overwhelmingly relied on a small number of high-dollar donors concentrated in a handful of wealthy neighborhoods. By providing vouchers to every registered voter in Seattle, the Democracy Voucher program endeavored to create a pool of donors that looked more like the pool of eligible voters. This section compares the profile of participants in the Democracy Voucher program (“voucher users”) with the profile of cash contributors in the 2017 election (“cash donors”).

Older residents in Seattle make up a larger share of participants in the Democracy Voucher program than they do in the pool of cash donors. In fact, 36

percent of voucher users were 60 years old or older compared to slightly more than 33 percent of cash donors. Young donors (under the age of 30) make up a larger share of donors in the voucher program than in the pool of cash donors. [Figure 6]

Although the Democracy Voucher program aimed to diversify the racial composition of the donor pool, white residents comprise a disproportionate share of both voucher users and cash contributors. While 79 percent of registered voters in Seattle are white, whites comprise 86 percent of participants in the Democracy Voucher program and 87 percent of cash contributors. In fact, the racial composition of voucher users is nearly identical to the composition of cash donors. [Figure 7]



The Democracy Voucher program relied less heavily on wealthy Seattle residents than the pool of cash contributors. It increased the representation of low-income residents in the campaign finance system, although high-income households continue to make up a disproportionate share of contributors. Individuals with an income of \$100,000 or more make up 24 percent of cash donors, but they comprise only 16 percent of voucher users. On the other hand, only 4 percent of voucher users – and 2 percent of cash donors – have an income below \$30,000. [Figure 8]

Voucher users were slightly more likely to come from poor neighborhoods – and slightly less likely to come from wealthy ones – than cash donors. Overall, about 22 percent of voucher users live in the wealthiest quintile of neighborhoods in the city and nearly 13

percent live in the poorest quintile of neighborhoods. By contrast, 29 percent of cash donors come from the wealthiest quintile of neighborhoods and only 11 percent come from the poorest neighborhoods. [Figure 9]

Overall, voucher users were more representative of the electorate than cash contributors. Participants in the Democracy Vouchers program were more likely to come from poor neighborhoods than cash donors. The pool of voucher users also includes a larger share of residents earning \$30,000 or less, suggesting that the program has diversified the socioeconomic composition of the donor pool. While the composition of the voucher users does not fully match the composition of the electorate, it is – on the whole – more representative than the composition of cash donors.

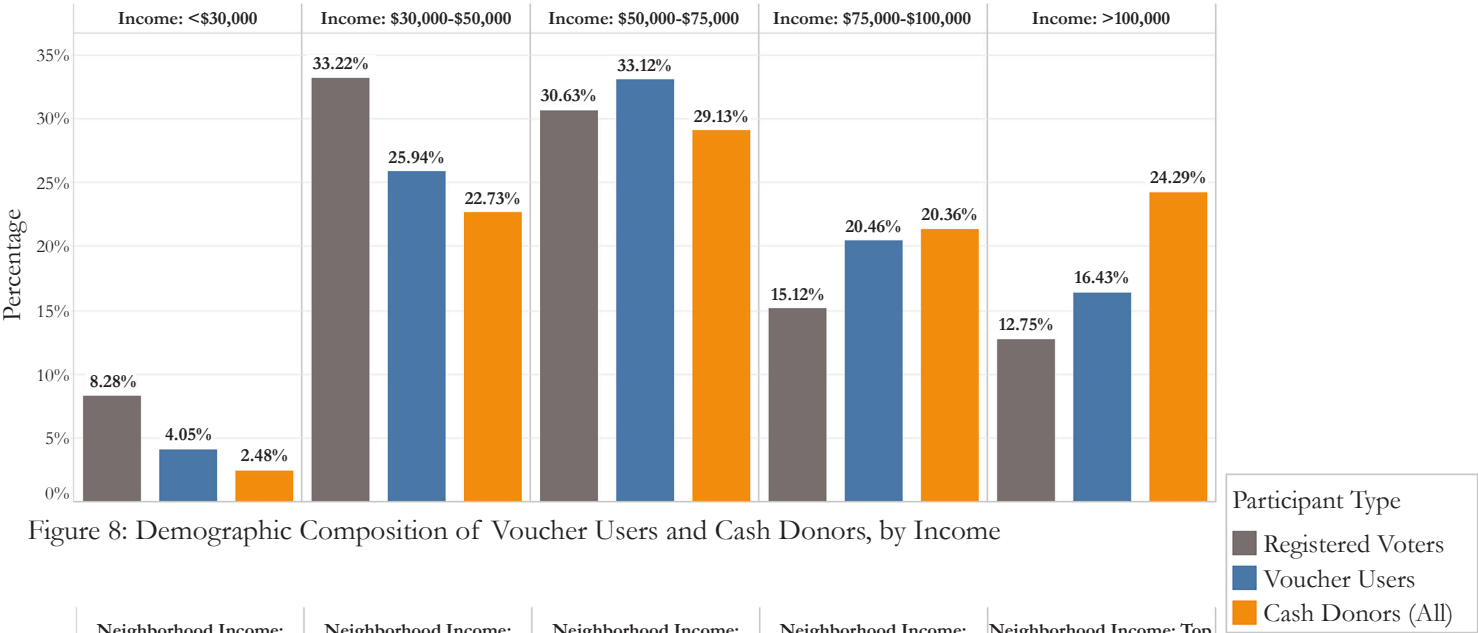


Figure 8: Demographic Composition of Voucher Users and Cash Donors, by Income

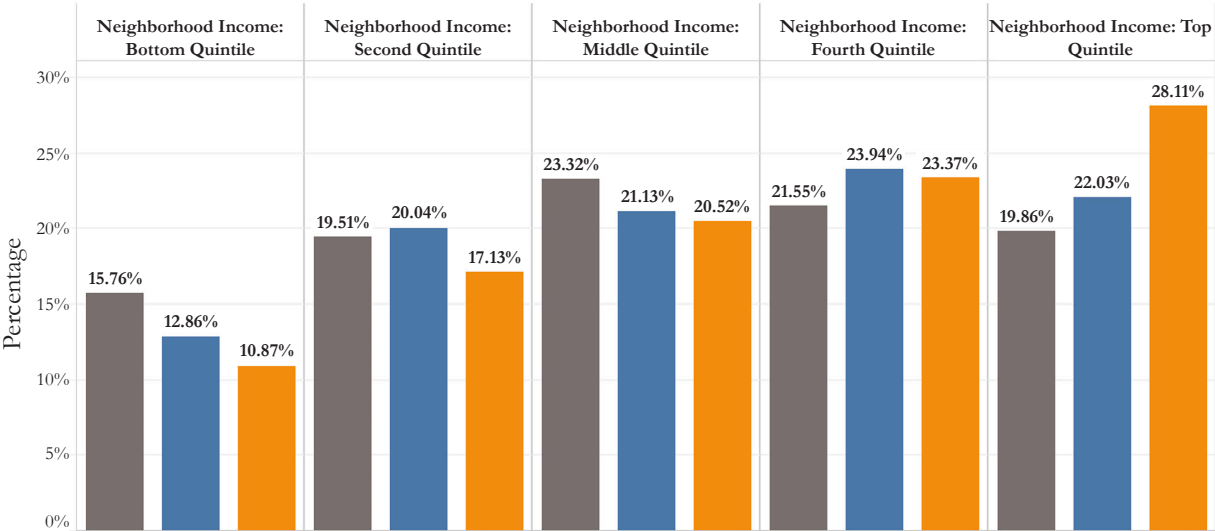


Figure 9: Demographic Composition of Voucher Users and Cash Donors, by Neighborhood Income

## Did Voucher Participants Vote at Higher Rates in the 2017 Election?

Seattle residents who used their vouchers were substantially more likely to vote in the 2017 election. Nearly 90 percent of Seattle residents who used their vouchers voted in the 2017 election, but only 43 percent of those who did not use their vouchers voted.

Even after accounting for previous political engagement, these differences between voucher users and non-users persist. Among Seattle residents who voted in fewer than half of the previous elections for which they were eligible, voucher users were four times as likely to vote in the 2017 election. Overall, 53 percent of these voucher users voted in the 2017 election compared to only 12 percent of those who did not return their voucher. Among those who voted in at least half of the elections for which they were registered, about 88 percent of voucher users voted

in the 2017 election compared to only 56 percent of those who did not return their vouchers. [Figure 10]

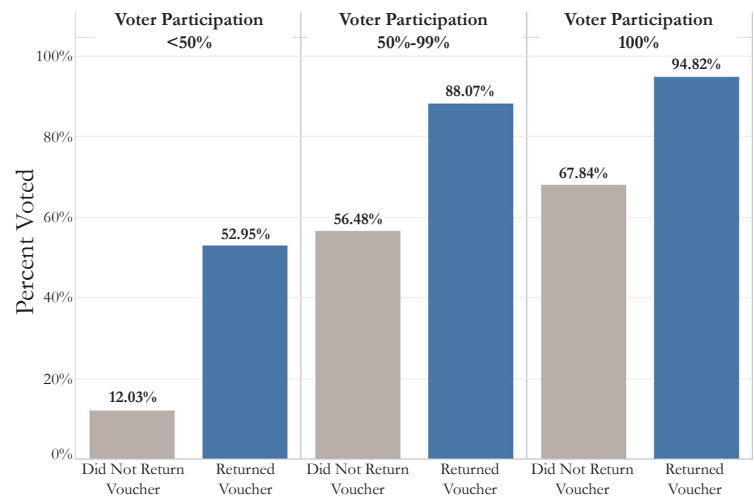


Figure 10: Voter Participation Rate, by Previous Voter Participation and Voucher Status

## Program Background

In 2015, voters in Seattle overwhelmingly passed an initiative to create the Democracy Voucher program. Recognizing the disproportionate influence of a small number of wealthy donors in local elections, advocates for the initiative hoped that a publicly-financed voucher program would increase the number of contributors, create a more diverse donor pool and address concerns about the demographic representativeness of donors in local elections. While several municipalities nationwide have public financing schemes to provide matching funds in local elections, Seattle is the first city to implement a universal voucher program.

Every registered voter in Seattle was mailed four, \$25 vouchers in January 2017. Voters redeemed their vouchers by assigning them to qualified candidates

and returning them to the candidate's campaign or the Seattle Ethics and Election Commission. Upon certifying each returned voucher, the Commission then transferred funds to the assigned campaign.

In 2017, candidates for City Council and City Attorney could participate in the Democracy Voucher program after agreeing to several public debates and adhering to spending and contribution limits. At-large City Council candidates qualified for the program by receiving 400 qualifying donations of \$10. Candidates for City Attorney qualified after receiving 150 qualifying donations of \$10. In future elections, the Democracy Voucher program will expand to include candidates vying for mayor and each of Seattle's seven district-level City Council seats.

## About the Authors

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## About the Data

These analyses were derived from a dataset compiled by the authors. The authors merged data on Seattle voters and their vote history from the Washington Secretary of State with campaign finance and voucher records from the Seattle Ethics and Elections Commission. Catalyst provided the demographic data on registered voters. Geographic information came from the 2016 American Community Survey.

Media inquiries or requests for additional information should be made via email to both authors.



Exhibit B



CITY OF SEATTLE ETHICS AND ELECTIONS COMMISSION


# SEATTLE DEMOCRACY VOUCHER PROGRAM EVALUATION

ភាសាខ្មែរ • Cambodian/Khmer • 繁體中文 • 简体中文  
 ភាសាអ៊ីលីពីណូ/Tagalog • 한국어 • ආසාමාසා • Oromiya  
 ភាសារុស្ស៊ី • русский язык • af Soomaali • English  
 ភាសាវៀតណាម • Tiếng Việt • Little Dem

NO CASH VALUE • NON-TRANSFERABLE  
VALID JANUARY 3, 2017–NOVEMBER 30, 2017



Seattle Democracy Voucher  
2017 Primary & General Election



**Seattle Democracy Voucher**  
**2017 Primary & General Election**

I am assigning this voucher to the qualified candidate for the office of Seattle City Attorney or Seattle City Council whose

...ment freely and not in exchange for pay  
 ... assignment is complete upon  
 ... be assign

**Candidate Name:**  
Print qualified City Council or  
City Attorney candidate's name

**Candidate Name:**

Qualified City Council or  
Attorney candidate's name

I that I obtained this Democracy Voucher properly and make this assignment freely and not in exchange for pay-  
ment. This assignment cannot be changed and there is no guarantee of availability of funds. Assignment is complete upon  
this date. The voucher may not be assigned to the candidate, or her or his registered representative. Vouchers may only be assign-

**Date:**

Date:

SUBMITTED APRIL 20, 2018

## Executive Summary

The Democracy Voucher Program (DVP) is a first-of-its-kind public municipal campaign financing program that enables eligible Seattle residents to contribute to candidates for public office using paper certificates issued by the City of Seattle. This program launched in the 2017 election cycle and was open to candidates for City Council and City Attorney. Candidates who chose to participate in the DVP pledged to comply with more stringent campaign spending and contribution limits. In return, those who qualified received public funds for each voucher submitted in their name by Seattle residents. The program aims to improve the democratic process in Seattle elections by making candidates less reliant on large donors and more accountable to average Seattle residents.

The DVP is administered by the Seattle Ethics and Elections Commission (SEEC). SEEC engaged BERK Consulting (BERK) to independently evaluate how effectively the DVP achieved its goals during the 2017 election cycle. This report presents findings and recommendations.

### ***Many more Seattle residents contributed to local campaigns, but disparities in representation remain.***

Over 20,000 people used their vouchers, more than double the number of cash contributors in the 2015 election cycle. Nearly 9 out of 10 of voucher users had never previously contributed to a candidate for local office in Seattle. This resulted in a significant increase in the number of campaign contributions from all areas of Seattle, including neighborhoods that are typically under-represented in local politics. However, some residents were more likely to use their vouchers than others. These include people who are regular voters in local elections, older residents, those who live in majority-white neighborhoods, and those who live in upper-income neighborhoods. As a result, residents of neighborhoods that are lower income or have a majority non-white population continue to be under-represented among contributors to candidates for local office.

### ***Thirteen candidates participated in the DVP, but many struggled to qualify to receive funding.***

2017 featured a bumper-crop of candidates for local office, and our findings suggest the DVP played a role in encouraging more candidates to run. Among 15 candidates for two at-large City Council positions, 12 pledged to participate in the DVP. One of the two City Attorney candidates pledged to participate. While over 76% of all candidates participated in the DVP, only six candidates (35%) eventually qualified to receive voucher funding. While a few candidates for City Council were able to effectively utilize the DVP to run competitive campaigns in the primary and general election, others struggled to collect the 400 verified contributions of \$10 or more from Seattle residents that were required by SEEC to qualify to receive voucher funding.

To ensure continued high rates of candidate participation and encourage more candidates to run for office, SEEC should find ways to streamline the qualification process. This report includes recommendations for doing this while still maintaining an appropriate check to ensure public funds are provided to only serious campaigns for local office.

### ***While average contribution size shrank, the role of big money in Seattle elections persists.***

In 2017 the average contribution amount for City Council candidates was only \$82, about half of what it



was in 2015. This reflects the influx of smaller voucher contributions as well as the reduced individual contribution limit for candidates participating in the DVP. However, total campaign spending *increased* by 60% compared to the at-large City Council races 2015.

Writers of the DVP legislation had hoped that the program design would provide an incentive for both candidates and funders of independent expenditures to keep their combined campaign spending below the DVP campaign spending limit. However, candidates in the City Attorney and City Council position 8 races applied to be released from spending and contribution limits when their opponent's campaign spending plus independent expenditures exceeded the DVP spending limit. This enabled the increase in total campaign spending as well as a 55% *increase* in independent expenditures by candidates for the two at-large City Council positions compared to 2015.

This study finds that the availability of public funding can help make more races competitive. And when races are more competitive, there is increased incentive for outside groups to use independent expenditures to sway election outcomes. BERK offers recommendations for clarifying the process by which candidates may be released from spending limits to provide more predictability to campaigns. However, SEEC is limited in its ability to shape the role of independent expenditures in Seattle elections.

### ***Public support for the DVP is high.***

While the program is still new, survey results indicate a high level of public awareness about the DVP and support for the concept of the program. Public support is even higher among residents who are more familiar with the program, among those who have participated by using their vouchers, and among communities of color who are typically under-represented in local politics.

Support for the DVP was also high among candidates, campaign workers, and other stakeholders interviewed for this study. While there were gripes about some aspects of program administration, there was near universal praise for the role of SEEC staff in implementing a complex new program and their responsiveness in addressing issues as they emerged during the election cycle. They also expressed optimism that the DVP would become more effective over time as SEEC continues to implement program improvements and raise awareness of the program.

## **RECOMMENDATIONS**

The DVP legislation includes four distinct goals that the program is designed to achieve. This report includes 15 recommendations for improving the effectiveness of the DVP in achieving each of these goals.

### ***Goal 1: Achieve high rates of candidate participation***

- Recommendation 1.1: Make no change to the number of qualifying contributions
- Recommendation 1.2: Streamline the verification process for qualifying contributions
- Recommendation 1.3: Provide online dashboard for tracking voucher returns and verification
- Recommendation 1.4: Continue to monitor candidate success in qualifying for the DVP

### ***Goal 2: Democracy and accountability***

- Recommendation 2.1: Make no change to campaign spending limits



- Recommendation 2.2: Consider clarifications and refinements to guidelines regarding release from spending limits
- Recommendation 2.3: Make no change to individual contribution limits
- Recommendation 2.4: Make no change to the value and count of vouchers issued to eligible residents
- Recommendation 2.5: Continue to monitor campaign spending and outcomes

*Goal 3: Heavy utilization of vouchers by those who have not previously donated to Seattle political campaigns*

- Recommendation 3.1: Postpone the voucher mailing date until at least March 1
- Recommendation 3.2: Elevate awareness of voucher mailing day
- Recommendation 3.3: Develop a system for instant electronic delivery of replacement vouchers to registered voters
- Recommendation 3.4: Continue working to establish secure online system for voucher returns
- Recommendation 3.5: Continue to work with intermediaries to engage communities of color

*Goal 4: High public satisfaction with the program*

- Recommendation 4.1: Create a communications plan for the next election cycle

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# Introduction

The Democracy Voucher Program (DVP) is a first-of-its-kind public campaign financing program that enables eligible Seattle residents to contribute to participating candidates for public office using paper certificates issued by the City of Seattle. The DVP was created through Initiative 122, “Honest Elections Seattle”, which was approved by voters in November 2015 and is funded by a 10-year levy. The Seattle Ethics and Elections Commission (SEEC), an independent agency of the City of Seattle, administers the DVP. The program was first implemented for the 2017 Seattle City election cycle and was open to participation by candidates running for City Council or City Attorney.

SEEC asked BERK Consulting to conduct an independent review of the DVP to evaluate how effectively the program achieved its goals during its first election cycle in 2017. These goals include achieving high rates of candidate participation, high rates of voucher usage by Seattle residents who have not previously donated to political campaigns, and high public satisfaction with the program. More broadly, the intent of Initiative 122 was to make Seattle elections more democratic by giving more Seattle residents the opportunity to be heard through contributions to local political campaigns.

This report discusses the findings of BERK’s evaluation as well as recommendations for improving the efficacy of the program in achieving its goals. Sources of information used during this evaluation are outlined below. See the Appendix for a more detailed discussion of data sources and methodology.

**Interviews and Focus Groups:** We engaged SEEC staff, the DVP Advisory Committee, City of Seattle Department of Neighborhoods (DON) staff and DON Community Liaisons, members of community-based organizations who conducted outreach and engagement, and candidates and campaign staff representing eight different campaigns, including both DVP participants and non-participants.

**Surveys:** We developed a survey to measure public awareness of the DVP and perspectives about the program. The survey was distributed to Seattle residents via three distribution channels to elicit feedback from three different populations. Responses from each distribution channel were collected and analyzed separately.<sup>1</sup>

- The **Representative Survey** was completed by 524 Seattle residents selected as a representative sample of the adult Seattle population based on race, gender, and income. This is the default survey sample used in discussion of survey results throughout the report.
- The **DVP Followers Survey** was completed by 109 Seattle residents recruited through invitations sent via the DVP Twitter account (@sea\_elections), the DVP website, and an email to DVP Advisory Committee members and community-based organizations that have previously been engaged in DVP outreach. The invitation was then re-tweeted and shared through various email and social media channels. These survey takers were self-selected and were much more likely to have had previous experiences with the DVP. Therefore, they are not considered representative of the general population.

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<sup>1</sup> There is one exception to this rule. BERK combined responses from the Representative Survey and Community Liaison Outreach Survey to generate sufficient sample size to analyze perspectives on the DVP by specific communities of color.

- The **Community Liaison Outreach Survey** was a shorter paper survey distributed by DON Community Liaisons conducting direct outreach in communities of color that are typically under-represented in Seattle elections and politics. These communities included Hispanic/Latinos, Native Americans, Black/African Americans, Asian/Pacific Islanders, Somalis, Chinese, and Vietnamese. There were 291 respondents who completed this survey.

**Other Data Sources:** BERK gathered and analyzed other data including voucher tracking and usage (SEEC), campaign contributors and independent expenditures from 2011 to 2017 (SEEC), Washington State Voter Registration Database (Washington Secretary of State), and U.S. Census 2012-2016 American Community Survey 5-Year Estimates.

## Goals of the Democracy Voucher Program

The “Honest Elections Seattle” campaign promoted Initiative 122 as a suite of campaign finance reform measures intended to reduce the role of lobbyists, city contractors, and big money in Seattle politics. The Democracy Voucher Program is just one element of Initiative 122, and the initiative text states four specific goals for this program: “democracy and accountability, high rates of candidate participation, heavy utilization of vouchers by those who have not previously donated to Seattle political campaigns, and high public satisfaction with the Program.”<sup>2</sup> Below we describe how achievement of each of these goals will be measured in this evaluation. The goals have been reordered.

### 1. ACHIEVE HIGH RATES OF CANDIDATE PARTICIPATION

The DVP cannot be successful if candidates either choose not to participate or are not able to qualify to redeem vouchers for campaign funding. Therefore, the requirements for this program had to be carefully designed to both limit the role of big campaign contributions while also enabling participating candidates to run viable campaigns for office. Furthermore, the program is designed to have requirements for qualification that ensure all campaigns receiving public funds meet some minimal threshold of viability. If anybody in Seattle could announce they are a candidate and start soliciting and redeeming vouchers, then there would be a much higher risk that the DVP results in public money flowing to frivolous campaigns, which does not further the goals of democracy and accountability and could also undermine public trust and support in the program. On the other hand, setting the bar for qualification too high could present an unnecessarily high barrier to access for new candidates who may not start with the capacity necessary to collect the requisite donations and signatures.

This study explored four evaluation questions associated with this goal. Some of the questions look at challenges that could potentially impact participation in the DVP by candidates in the future.

- **1a. What percentage of candidates pledged to participate in the DVP?**
- **1b. How many candidates qualified to redeem voucher funding?**
- **1c. What challenges did candidates experience in their efforts to qualify to redeem voucher funding?**
- **1d. What challenges did candidates experience in their efforts to leverage the DVP to run a**

<sup>2</sup> Source: Seattle Municipal Code (SMC) 2.04.690 (b) Transition; SEEC Administration Authority; Penalties; Crimes; Severability.

successful campaign?

## 2. DEMOCRACY AND ACCOUNTABILITY

It is an overarching goal of the DVP to enhance “democracy and accountability” in Seattle elections. Our evaluation of how effectively this goal was achieved focuses on the following questions:

- **2a. Were there more candidates in 2017 compared to previous election cycles?**

SEEC’s website states: “The Democracy Voucher Program aims to encourage more Seattle residents to donate to campaigns and/or **run for elected positions themselves.**” (emphasis added)<sup>3</sup>

- **2b. Was there more candidate diversity in 2017 compared to previous election cycles?**

Honest Elections Seattle, the coalition behind the pro-Initiative 122 campaign, states that their goal is to “encourage a more diverse pool of candidates for elected office and ensure everybody has the opportunity to have his or her voice heard, not just the wealthy and political elite.” (Honest Elections Seattle, 2018).

- **2c. How did the DVP impact campaign fundraising and independent expenditures compared to previous election cycles?**

The initiative writers expressed hope that Democracy Vouchers would enable candidates to run viable campaigns for public office without relying on large campaign contributions. Instead candidates could appeal to all Seattle residents, including those who cannot afford to make campaign contributions with their own money.<sup>4</sup> In other words, a major goal of this program is to give all residents a more equal opportunity to participate in campaign funding and therefore make candidates more accountable to all Seattle residents.

## 3. HEAVY UTILIZATION OF VOUCHERS BY THOSE WHO HAVE NOT PREVIOUSLY DONATED TO SEATTLE POLITICAL CAMPAIGNS

The Democracy Voucher Program is intended to greatly expand the number and diversity of Seattle residents who participate in funding campaigns for local offices. This requires engaging residents and communities who are traditionally under-represented in the democratic process, particularly communities of color. So, achieving this goal requires not just widespread voucher usage, but also a population of campaign contributors (including voucher users) that better reflects the population of Seattle as a whole.

- **3a. How many voucher users had never previously contributed to a political campaign?**

- **3b. What are the characteristics of voucher users? Are they more representative of the Seattle population than cash contributors?**

- **3c. What are the neighborhood characteristics of voucher users? Are they more representative of the Seattle population than cash contributors?**

- **3d. Were voucher users successful in using their vouchers to fund qualified campaigns?**

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<sup>3</sup> SEEC. (2018, April 4). [About the Program.](#)

<sup>4</sup> See Durning, A. (2015, April 20). [Seattle Candidates, Meet Democracy Vouchers: How Seattle’s New Public Campaign Funding System Helps You Run for Office.](#) Sightline Institute.

- **3e. How did voucher users learn about the DVP?**
- **3f. What encouraged voucher users to participate in the DVP?**
- **3g. What were the barriers to participation in the DVP?**

#### 4. HIGH PUBLIC SATISFACTION WITH THE PROGRAM

The writers of Initiative 122 recognized that if Seattle residents do not see the benefits of the DVP, or if they do not have confidence that the public campaign financing made possible through vouchers is being used responsibly, then the DVP cannot be successful. In 2010, residents of Portland, Oregon voted to end a public campaign financing program that was first implemented five years earlier. Critics there argued that program resulted in few successful campaigns that rely on public funding, and public support dwindled after a scandal involving a candidate using public funds for personal expenses. So, supporters and administrators of the DVP have a strong interest in ensuring the program is both effective and that the benefits are communicated to Seattle residents.

- **4a. What is the level of awareness of the DVP among the Seattle population?**
- **4b. Do residents feel the DVP is achieving its goals?**
- **4c. How do these perspectives vary by level of awareness and engagement with the DVP?**

## Program Overview

Democracy Vouchers are paper certificates that eligible residents can use to support qualified campaigns for public office. To be eligible to use Democracy Vouchers, individuals must live in Seattle, be at least 18 years old, and either a U.S. citizen, a U.S. national, or a lawful permanent resident (“green card holder”). In January 2017, SEEC mailed four \$25 Democracy Vouchers (totaling to \$100 in voucher value) to more than 500,000 Seattle residents, using the registered voter list from King County Elections. Periodically thereafter, until October 1, 2017, SEEC mailed vouchers to newly registered voters. Other eligible residents could request to be issued vouchers from SEEC.

The City of Seattle offered replacement Democracy Vouchers to those who lost or misplaced their vouchers. It also offered new vouchers to eligible residents who are not registered to vote. Information for applying for new or replacement vouchers was available on the SEEC website. Applicants could select to receive their voucher by mail or email. Additionally, campaigns used a Democracy Voucher Replacement Form to provide an immediate voucher replacement option when interacting directly with residents. These forms could be returned directly to SEEC by the campaign and verified by SEEC staff.

To use the vouchers, residents needed to write in a qualified candidate’s name, then sign and date the certificate. Vouchers must then be returned to SEEC for review before any funds were redeemed by qualifying campaigns. Methods of returning vouchers to SEEC included mail, city drop-off locations such as the Neighborhood Service Bureaus and Centers, or providing them directly to campaign representatives who were authorized to gather and deliver signed vouchers directly to SEEC.

In 2017, the DVP was available to candidates for City Council or City Attorney. Participating candidates were required to adhere to campaign spending and contribution limits and must be certified by SEEC to be qualified to redeem vouchers. Public funds redeemed by candidates through the DVP are held to all existing campaign spending laws and could be used only for allowable campaign expenses.

## CANDIDATE PARTICIPATION AND REQUIREMENTS

Candidates could choose whether or not to participate in the DVP. In addition to the standard requirements to declare a candidacy for public office in Seattle, candidates who wished to participate in the DVP were required to sign a Candidate Pledge.<sup>5</sup> Signers agreed to comply with requirements for the DVP which include:

- Not accepting contributions from any individual or entity in excess of a total of \$250, plus \$100 in vouchers, during the election cycle.
- Abiding by the campaign spending limits.<sup>6</sup>
- Participating in at least three public debates or similar events each for the primary and general elections.
- Not soliciting money for or on behalf of any political action committee, political party, or any organization that will make an independent expenditure for or against any City of Seattle candidate within the 2017 election cycle.
- Agreeing that their candidacy must be certified by the SEEC to redeem Democracy Vouchers.

Additionally, before a candidate can redeem Democracy Vouchers in the form of public campaign funding, it must first meet the requirements for qualification.

### Requirements for Qualification

To be certified by SEEC to redeem vouchers, candidates were required to collect qualifying contributions. For the at-large City Council races in 2017, 400 contributions of at least \$10 each were required from Seattle residents age 18 or older. For City Attorney, 150 contributions were required. Furthermore, to provide verification that each contribution was from an eligible Seattle resident, campaigns needed to also collect corresponding signatures for each qualifying contribution. To facilitate gathering these signatures along with contributions, SEEC provided each participating campaign with a Qualifying Contribution Petition. SEEC then used the signatures to verify that each contribution corresponded to the names and addresses on the petition.<sup>7</sup> Once the sufficient number of contributions and signatures had been verified, SEEC would certify the candidacy and added the candidate's name to a list of those qualified to receive and redeem Democracy Vouchers.

### Release from campaign spending and/or individual contribution limits

Initiative 122 includes provisions that allow candidates participating in the DVP who are at or nearing their spending limit to apply to be released from certain program requirements if their opponent's spending exceeds the campaign spending limit. SEEC may also release a participating candidate if an

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<sup>5</sup> Available for [download](#) on the DVP website.

<sup>6</sup> For City Council At-large positions, the limit is \$150,000 for a primary campaign and \$300,000 for the primary and general combined. For City Attorney, these limits are cut in half (\$75,000 and \$150,000). A candidate may be released from the spending limit by appealing to the Seattle Ethics and Elections Commission. If released, the candidate will only receive Democracy Voucher dollars up to the spending limit but will then be able to collect monetary donations beyond that. (SEEC, 2018)

<sup>7</sup> This process of verification involved checking against the signatures in the King County Elections voter registration database.

independent expenditure plus the opponent's spending exceeds the campaign spending limit.<sup>8</sup> Candidates released from spending limits in the 2017 election could not redeem vouchers beyond the spending limit for either the primary election or general election.<sup>9</sup>

## OUTREACH AND EDUCATION

SEEC staff conducted outreach and education activities throughout much of the 2017 election cycle to raise awareness about this new program among all Seattle residents. Additionally, they placed special emphasis on reaching out to communities within Seattle that are typically under-represented in local politics, including, but not limited to, communities of color and immigrant populations. In addition, non-governmental groups such as community-based organizations and advocacy groups also conducted work to educate Seattle residents about the DVP and encourage participation. Finally, the campaigns themselves were on the front lines of informing residents about the new program while soliciting voucher contributions. These activities are briefly summarized below.

### SEEC Marketing and Outreach Activities

DVP staff employed a variety of methods to inform Seattle residents about the program and encourage resident participation. They also conducted outreach to communities and neighborhoods throughout Seattle, and considered specific groups, such as communities of color, age, and abilities.

**Communication.** SEEC staff established resident communication channels using a variety of methods, from establishing a Democracy Voucher Hotline, program website, and utilizing social media (Facebook and Twitter) to disseminate information quickly to residents and media outlets. Communication to communities of color and immigrant populations included translating key materials into 15 languages, and conducting four focus groups in English, Somali, Spanish, and Somali to get feedback on best ways to message and design the vouchers and mailer, as well as to establish a baseline knowledge and awareness of the program.<sup>10</sup>

**Outreach Activities.** DVP staff engaged in multiple forms of outreach and pursued paid, earned, shared, and owned media opportunities to promote the program beginning in December 2016.

- **Tabling Events and Presentations:** SEEC staff gave 47 presentations and held 57 tabling events between July 2016 and November 2017 to provide information about the DVP and how it works. These were held throughout the city at community-based organizations and clubs, neighborhood community centers, faith-based places (e.g. churches and mosques), Seattle parks, City Hall, senior housing, resource fairs, and community events. Presentations included language interpretation in Chinese (Cantonese and Mandarin), Khmer, Vietnamese, Somali, Amharic, Oromo, Spanish, American Sign Language, Russian, Tigrinya, Tagalog, and Korean. Exhibit 1 presents the number of events that occurred by month before and during the 2017 election cycle.

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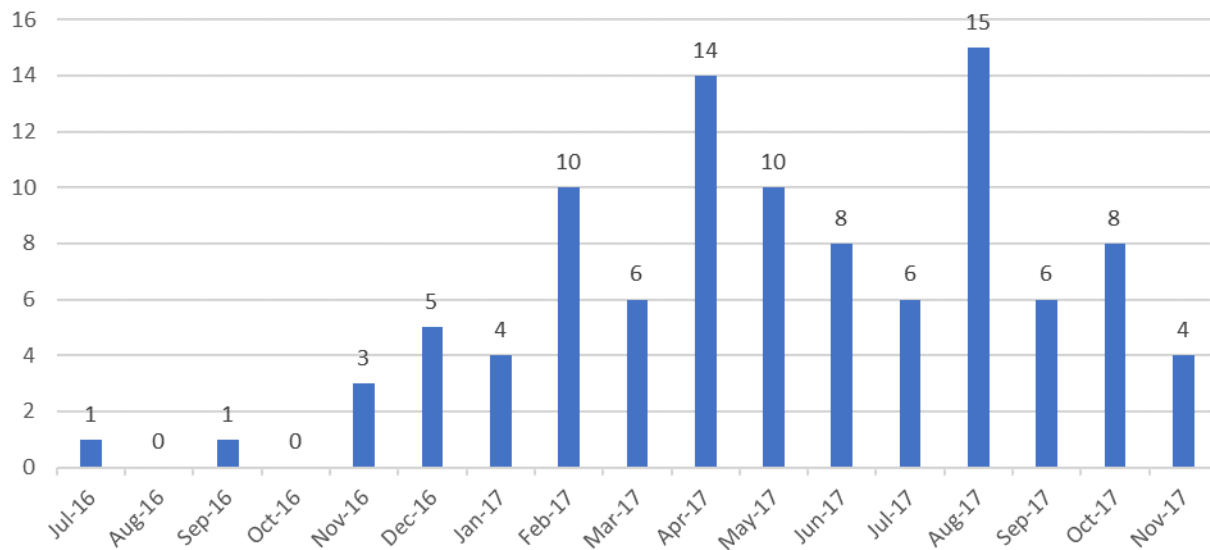
<sup>8</sup> Seattle Municipal Code (SMC) 2.04.630 (f) - Candidates to Qualify By Showing Grass Roots Support and Agreeing to New Campaign and Contribution Limits; Redemption of Democracy Vouchers; New Limits on Use of Funds.

<sup>9</sup> See Barnett, Wayne. "Memo Re: Released from Campaign Spending and/or Individual Contribution Limits." 2 June 2017.

<sup>10</sup> To learn more about these efforts, see the [SEEC's Democracy Voucher Program Biennial Report 2017](#).



## Exhibit 1. DVP Staff Outreach Events (Presentations and Tabling Events) July 2016 – November 2017



Source: SEEC, 2018; BERK, 2018.

- **Flyers and Posters:** SEEC staff also distributed and displayed posters throughout the city. Two posters, “Have You Seen Me?” and the Candidate Forum poster were distributed. About 600 “Have You Seen Me?” posters were distributed between summer and fall 2017. About 100 were distributed throughout the city at businesses and other key locations in June 2017. About 500 more of these posters were distributed in September and October 2017. In October, about 85 Candidate Forum posters were distributed at businesses, libraries, bus stations, etc., throughout South Seattle neighborhoods, including North Beacon Hill, Columbia City, Othello, Rainier Beach, Mt. Baker, Hillman City, and Lakewood. Posters were also displayed in Amharic, Somali, Tigrinya, Vietnamese, and Spanish. The forum was held on October 15, 2017.<sup>11</sup>

### Community Liaison Outreach

SEEC partnered with DON Community Liaisons to implement outreach with communities of color to educate and inform them of the DVP. Community Liaisons attended an orientation in early August 2017. Each liaison involved wrote an outreach plan with ideas and strategies they thought would work well for the communities they would provide outreach to. These included the Somali, Hispanic/Latino, African American, Chinese, and Vietnamese communities. Community Liaison outreach activities included presentation and tabling events, door-to-door outreach, and posted articles on blogs and social media. These activities occurred between late August and October 2017.

### Community-Based Organization Outreach

Community-based organizations were also involved in outreach to raise awareness and encourage residents to use Democracy Vouchers. BERK heard from several community organizations about their involvement with the DVP through a focus group discussion and phone interviews with volunteers and staff from Skyline Retirement Facility, Chinese Information and Services Center (CISC), the Win-Win Network,

<sup>11</sup> Source: SEEC log of outreach activity provided to BERK in March 2018.

and the Tenants Union. From these conversations, involvement with the DVP depended on the interest, purpose, and goals of the community organization. For example, some efforts were volunteer-led, such as outreach and engagement among seniors at the Skyline Retirement Facility in First Hill, who were interested in politics and civic engagement. Other community-based organizations saw DVP aligning with the work and purpose of their organization's focus, such as with the Win-Win Network, whose mission is to advance social and economic equity through political power building, and the Chinese Information and Services Center (CISC), whose mission is to serve new immigrants in the Chinatown International District.

- **Communication and Outreach.** Community organizations used a variety of outreach strategies to inform community members of DVP. This included emails, hosting presentations and talks with politicians, candidates, or with DVP staff in the community, writing newsletters and articles about DVP in languages other than English, ballot and voucher parties, social media and digital campaigns and messaging, door-to-door canvassing, text message campaigns, and earned media.

## Customer Service Centers and Bureau

Seattle has seven customer service centers, or Neighborhood Service Centers (CSC) are located throughout the city, including Ballard, Central District, Lake City, Southeast Seattle, Southwest, University District, and Downtown. They act as “little city halls” provide information about Seattle services and programs.<sup>12</sup> The Customer Service Bureau (CSB) is located in Downtown. The CSCs and CSB were also drop-off locations to return and submit Democracy Vouchers. City staff who were at the CSCs and CSB were very engaged and eager to learn about the DVP. They often interacted with the public and answered questions about the vouchers.

## VOUCHER USE AND VERIFICATION

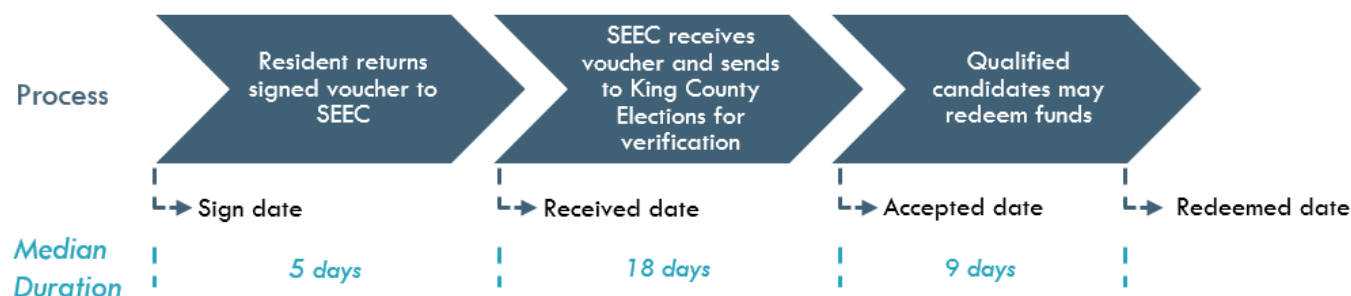
Exhibit 2 shows the primary steps in the process between a resident returning their voucher to SEEC and voucher funds being redeemed by qualified candidates who have not yet reached their spending limit. SEEC began by logging each received voucher in a database for tracking the voucher's review status. Vouchers were then sent to King County Elections for signature verification, with prioritization given to vouchers submitted to eligible candidates. After vouchers were verified, SEEC staff issued checks to qualified candidates who have not yet reached their spending limit.

The durations in this chart reflect BERK's analysis of data in SEEC's voucher data tracking system for vouchers that were verified. The typical delay between a resident choosing to contribute to a qualified candidate using a voucher and the candidate redeeming that voucher as public funding is over a month. However, there was a great deal of variability in this duration, as discussed below.

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<sup>12</sup> For more information, visit website: <https://www.seattle.gov/customer-service-centers>

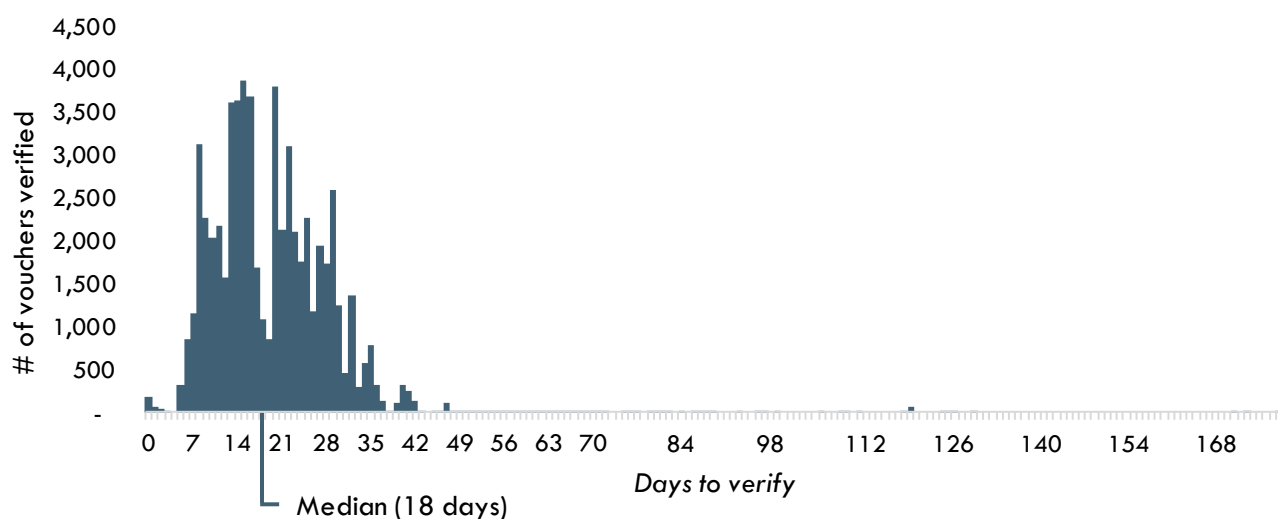
## Exhibit 2. Steps in the Process of Verifying and Redeeming Voucher Funds



Source: SEEC, 2018; BERK, 2018.

Exhibit 3 shows the variation in number of days between a voucher being received by SEEC and completion of the verification process. Over half of all vouchers were verified within 13 to 25 days. The median verification time was 18 days. Some vouchers took as long as 175 days to verify. Vouchers that took longer than 40 days to verify likely had rejected signatures on the first round of verification.

## Exhibit 3. Days Between Voucher Receipt and Verification

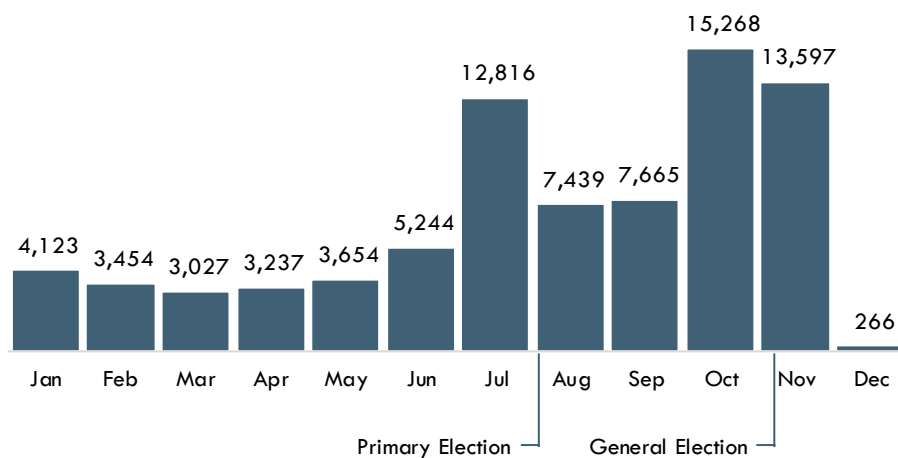


Source: SEEC, 2018; BERK, 2018.

Exhibit 4 shows total vouchers returned to SEEC by month. Voucher activity was highest in the periods leading up to the primary election in early August and general election in early November. These were periods during the election cycle where campaigns were receiving the greatest amount of media attention and, presumably, more Seattle residents were paying attention to the local election contests.

#### Exhibit 4. Total Vouchers Returned to SEEC by Month<sup>13</sup>

79,923 Vouchers Returned



Source: SEEC, 2018; BERK, 2018.

The duration between SEEC receiving a voucher and verification varied significantly based on the date the voucher was received.

Exhibit 5 shows SEEC's voucher processing activity by week during the periods leading up to the primary and general election when the volume of returned vouchers was highest. During the weeks leading up to the primary election, the median duration to verify vouchers increased to between 23 and 29 days. The weeks leading up to the general election showed much shorter durations, only 6 to 13 days.

<sup>13</sup> For returned date analysis, this report uses a voucher's signature date to represent when the user actively returned their voucher. Where a signature date is missing from the voucher or incorrect due to being reported after the received date, the return date is adjusted from the received date to account for the median duration of 5 days between the sign date and received date.

## Exhibit 5. Election Periods and Voucher Verification Time Duration

PERIOD		VOUCHERS PROCESSED			MEDIAN DURATION
Campaign Points	Dates	Received	Verified	Redeemed	Received to Verified
<b>Primary Election Period</b>	<b>Jan. 1 to Jul. 31</b>	<b>35,555</b>	<b>20,251</b>	<b>13,652</b>	<b>25 days</b>
4 weeks before primary	July 4 to 10	1,268	1,186	35	23 days
3 weeks before primary	July 11 to 17	2,505	1,007	2,566	22 days
2 weeks before primary	July 18 to 24	4,554	924	107	29 days
1 week before primary	July 25 to 31	4,085	1,386	1,617	29 days
<b>General Election Period</b>	<b>Aug. 1 to Dec. 31</b>	<b>44,235</b>	<b>41,404</b>	<b>31,967</b>	<b>8 days</b>
4 weeks before general	October 10 to 16	2,263	995	0	6 days
3 weeks before general	October 17 to 23	3,773	3,119	2,875	6 days
2 weeks before general	October 24 to 30	6,067	1,093	380	9 days
1 weeks before general	Oct. 31 to Nov. 6	5,731	3,650	1,407	13 days

Source: SEEC, 2018; BERK, 2018.

SEEC staff indicated that the reason vouchers took so much longer to verify during the primary campaign was capacity. The same three staff persons responsible for processing the received vouchers were those who were also managing all other aspects of the DVP. And given that this was the DVP's first election season, there were still many issues to resolve. As the primary election approached, SEEC hired additional temporary staff to assist with voucher processing and expedite the verification process.

## How Effective was the DVP at Achieving its Goals?

This section reviews the outcomes of the 2017 election cycle to evaluate how effective the DVP was at achieving its goals.

### GOAL 1. ACHIEVE HIGH RATES OF CANDIDATE PARTICIPATION

#### 1 a. What percentage of candidates pledged to participate in the DVP?

##### *Participation among City Attorney candidates*

The race for City Attorney in 2017 attracted only two candidates, one of whom was an incumbent. The incumbent, Pete Holmes, chose to participate in the DVP while the challenger, Scott Lindsay, did not.

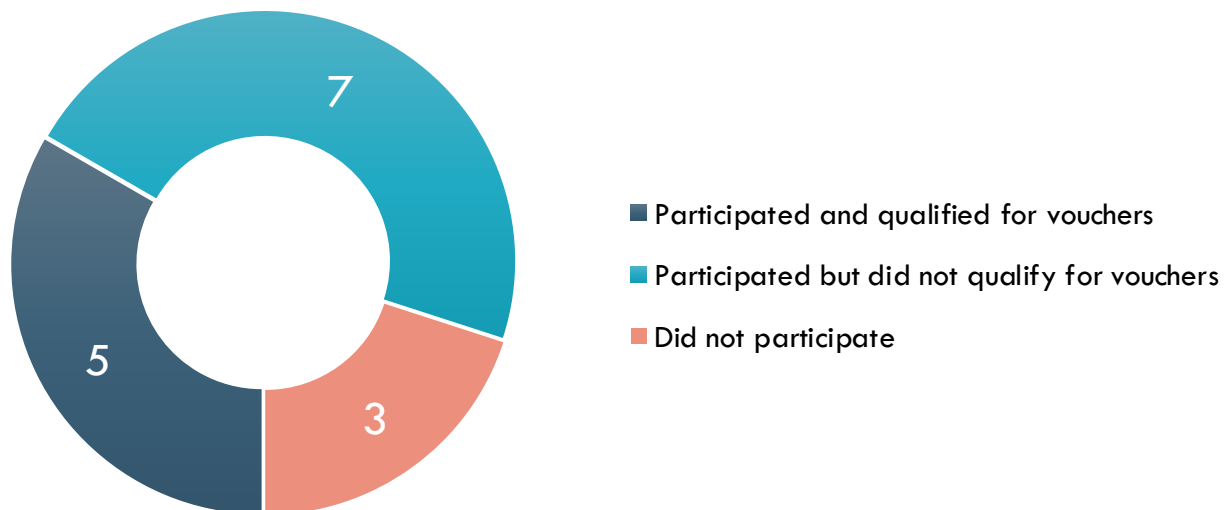
### Participation among City Council candidates

In 2017 there were two at-large City Council positions up for election. City Council Position 9 had an incumbent while Position 8 the other did not. Combined, these City Council races attracted 22 candidates, seven of whom withdrew before the Primary. Among the 15 candidates who competed in the primary election, all but three pledged to participate in the Democracy Voucher Program. That is an 80% participation rate.<sup>14</sup> Among those candidates that advanced to the general election, all four participated in the DVP.

#### 1 b. How many candidates qualified to redeem voucher funding?

Not all candidates who pledged to participate in the DVP eventually qualified to redeem vouchers. As shown in Exhibit 6, only five of the 12 City Council candidates who pledged to participate in the DVP gathered the 400 contributions and signatures necessary for certification by SEEC. So, while Seattle residents returned Democracy Vouchers with the names of all 12 of these participating candidates, only five of these candidates saw any of those vouchers redeemed as campaign funding from SEEC.

**Exhibit 6. Participation in the Democracy Voucher Program by 2017 City Council Candidates**



Source: SEEC 2018; BERK 2018.

Exhibit 7 lists each of the City Council candidates who qualified to redeem vouchers. Only two of the candidates, Jon Grant and Teresa Mosqueda, qualified to redeem vouchers significantly before the primary election. This reflects the significant resources each campaign devoted to gathering qualifying contributions in order to qualify early and have funding early in the competitive primary. The three other campaigns did not qualify to redeem vouchers until just before or after the August 1 primary election. In some cases, the process of gathering the requisite signatures and contributions took six months or more after signing the Candidate Pledge.<sup>15</sup>

<sup>14</sup> Among the seven candidates who withdrew before the Primary, four were participating in the Democracy Voucher Program.

<sup>15</sup> As an incumbent, González was very likely to get through the crowded primary. Therefore, the campaign may have focused less resources on gathering qualifying contributions early in the election cycle.

## Exhibit 7. City Council Candidates Who Qualified to Redeem Democracy Vouchers

CANDIDATE	OFFICE	CANDIDATE PLEDGE SIGNED	DATE QUALIFIED	FIRST REDEEMED VOUCHER PAYMENT	DAYS BETWEEN PLEDGE AND QUALIFICATION
Jon Grant	Position 8	11/30/16	2/10/17	2/15/2017	72
Teresa Mosqueda*	Position 8	1/6/17	3/2/17	3/2/2017	55
Hisam Goueli	Position 8	1/30/17	7/28/2017	7/28/2017	186
M. Lorena González*	Position 9	1/9/17	9/20/17	9/20/2017	254
Pat Murakami	Position 9	5/12/17	8/11/17	8/11/2017	91

\* Indicates candidate was elected.

Source: SEEC 2018, BERK 2018.

### 1 c. What challenges did candidates experience in their efforts to qualify to redeem voucher funding?

Representatives from all the City Council campaigns communicated that gathering the 400 qualifying contributions and associated signatures took a significant amount of time and resources. Each campaign devised its own system for soliciting and gathering qualifying contributions and associated signatures. Some of these systems proved to be more efficient than others. For instance, campaigns that solicited qualifying contributions from residents in person at community meetings or during door-to-door canvassing could simply use the Qualifying Contributions Petition form provided by SEEC and collect all of the required verification information at the same time. These campaigns could also solicit and gather Democracy Vouchers at this point of contact so that the vouchers would be verified and ready to redeem once the campaign was certified by SEEC to receive public funding. Campaigns that were most successful using this approach designated significant volunteer or paid canvasser resources to gathering qualifying contributions very early in the election cycle.

Campaigns that relied on email or social media to engage voters and solicit online donations had a more difficulty collecting the necessary information to verify the qualifying contributions. These campaigns needed to track down the same donors in person to obtain signatures and other verifying information, a process which took a considerable amount of time and campaign resources. Mid-way through the election cycle, campaigns received clarification from SEEC that digital images of signatures were admissible for verification. This eased the process somewhat, but still required that donors were able to print the Qualifying Contributions Petition.

This issue is addressed in Recommendation 1.2: Streamline the verification process for qualifying contributions.

### 1 d. What challenges did candidates experience in their efforts to leverage the DVP to run a successful campaign?

Representatives from campaigns that relied mostly or exclusively on vouchers for funding described challenges in making financial decisions, due to a lack of clear and predictable information about how much voucher funding they could expect to receive in the coming weeks. With cash contributions, a candidate can immediately put the funds to use. With vouchers, there was a significant and unpredictable

delay between a voucher being submitted to SEEC and public funds being distributed to the campaign, as shown in

Exhibit 2 and Exhibit 3, above. More importantly, campaigns didn't have any way to know how many vouchers assigned to their candidate had been received by SEEC, since many residents sent their vouchers directly to SEEC, not through the campaign. SEEC did not have any real-time information available to candidates for tracking this kind of information. This lack of readily available information made it difficult for candidates to determine whether to order a new mailer or take on some other major campaign expense at key points in the campaign.

This issue is addressed in Recommendation 1.3: Provide online dashboard for tracking voucher returns and verification.

## GOAL 2: DEMOCRACY AND ACCOUNTABILITY

### 2a. Were there more candidates in 2017 compared to previous election cycles?

In BERK's survey of candidates and campaign staff, nearly half of the 12 respondents indicated that they would not have run for elected office if the DVP did not exist. Others indicated that the program influenced their decision to run. This indicates that the DVP may be having an impact on the number of candidates that run for local office, at least in the case of City Council positions.

#### *Number of City Attorney candidates*

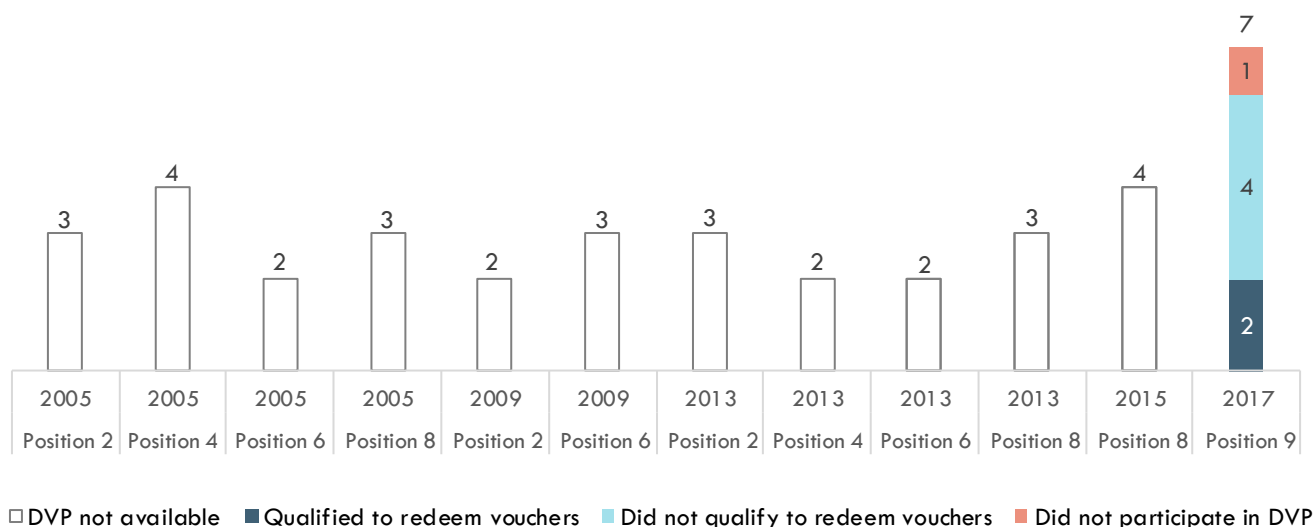
The race for City Attorney in 2017 attracted only two candidates, one of whom was an incumbent. City Attorney races in Seattle typically do not attract a lot of candidates. The previous three election cycles (2005, 2009, and 2013) all featured only two candidates or one candidate running unopposed. It appears that the DVP in 2017 did not impact this trend in any way.

#### *Number of City Council candidates*

The 2017 election cycle featured more City Council candidates than has been typical in previous cycles. Exhibit 8 compares the 2017 City Council Position 9 race to the 11 at-large City Council races that also featured incumbents since 2005. Typically, races with incumbents are less competitive and attract less candidates when compared to open seats. On average, the previous elections cycles attracted less than three candidates, compared to the seven candidates who ran in 2017. The large number of candidates in 2017 is particularly notable given that the incumbent in this race won her previous election two years earlier by a wide margin and was generally represented in the media as in a very strong position to keep her council seat. Six of the seven candidates, including the incumbent, chose to participate in the DVP, while only the two general election candidates qualified to redeem vouchers.



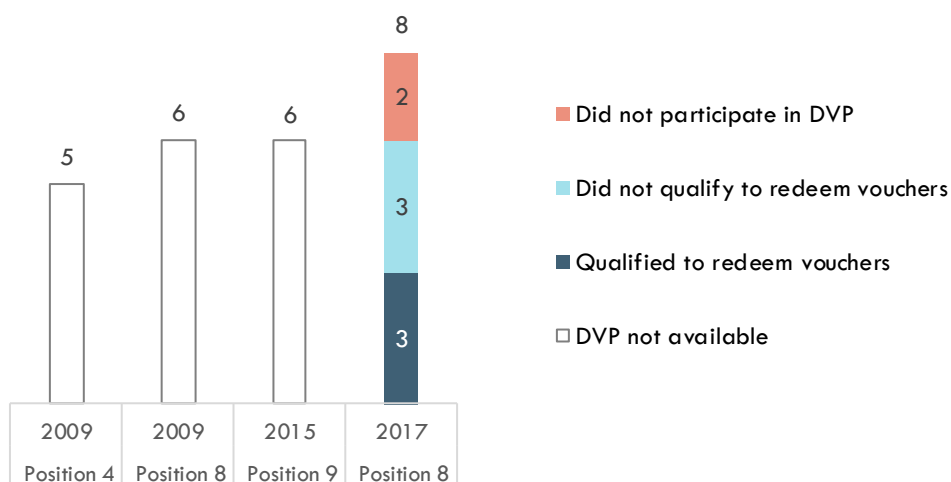
## Exhibit 8. Number of Candidates Running for At-Large City Council Seats with Incumbent, 2005-2017



Source: SEEC 2018; BERK 2018.

Exhibit 9 compare the 2017 City Council Position 8 race to three open at-large city council races that occurred during the past eight years. Open seats are typically more competitive. During the 2009 and 2015 election cycles each race attracted either five or six candidates. In 2017, eight candidates ran for the open seat. Six of the eight candidates chose to participate in the DVP, and three qualified to redeem vouchers.

## Exhibit 9. Number of Candidates Running for Open At-Large City Council Seats, 2009-2017



Source: SEEC 2018; BERK 2018.

## 2b. Was there more candidate diversity in 2017 compared to previous election cycles?

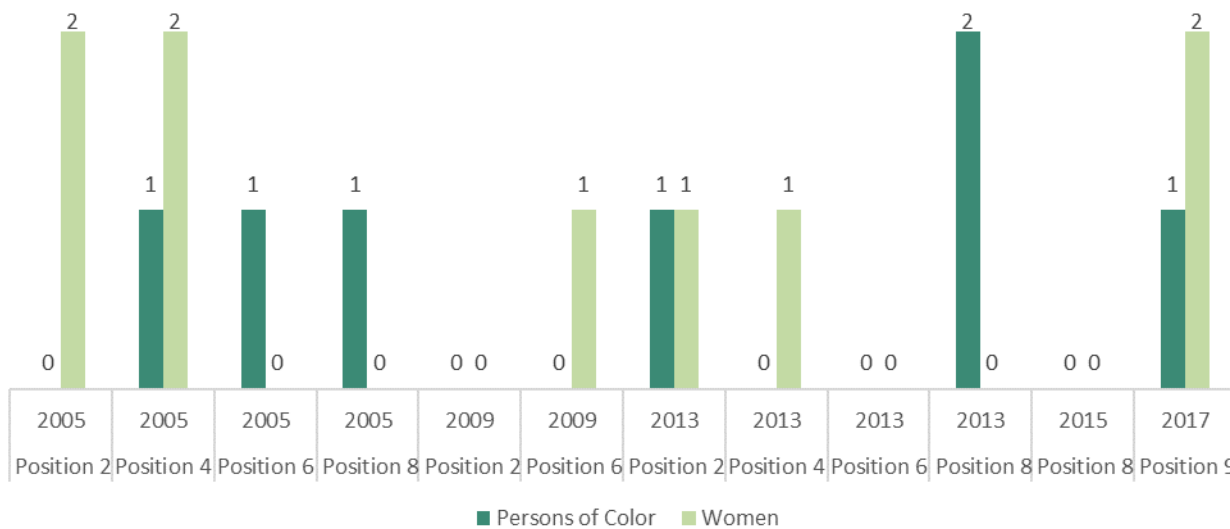
### *Diversity of candidates in the City Attorney race*

The City Attorney race attracted two white male candidates. The DVP appears to have had no impact on the diversity of candidates in this race.

### *Diversity of candidates in the City Council races*

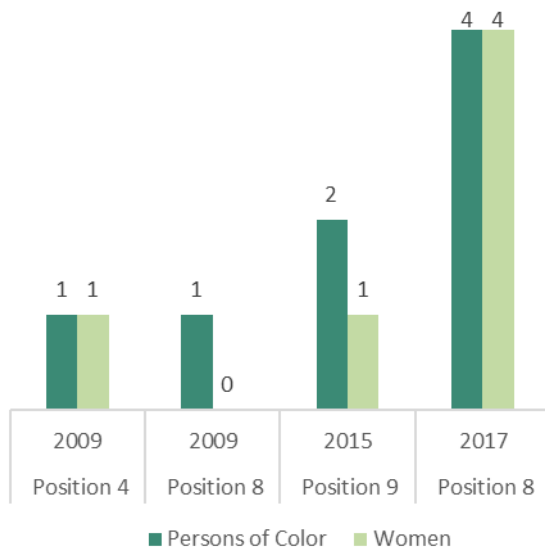
Among the candidates in the two City Council races in 2017, there were five persons of color and six women. Only one third of the 15 total candidates were white men, and the winners of each election contest were Latina women. Exhibit 10 and Exhibit 11 compare the 2017 election to previous election cycles. The most dramatic difference is in the Position 8 race for an open at-large council seat.

**Exhibit 10. Persons of Color and Women Running for At-Large City Council Seats with Incumbent, 2005-2017**



Source: SEEC 2018; BERK 2018.

## Exhibit 11. Persons of Color and Women Running for Open At-Large City Council Seats, 2009-2017



Source: SEEC 2018; BERK 2018.

### 2c. How did the DVP impact campaign fundraising and independent expenditures compared to previous election cycles?

This section explores how candidates funded their campaigns in 2017 and compares to previous election cycles. This is followed by an analysis of independent expenditures.

#### *Campaign fundraising by City Attorney candidates*

According to the 2017 Elections Report<sup>16</sup>, Pete Holmes received 2,888 individual and group contributions, including those from voucher users, with an average contribution size of \$76.45. Scott Lindsay received only 590 contributions with an average contribution size of \$259.12. While Lindsay raised about twice as much as Holmes in cash contributions, Holmes raised significantly more funds overall due to participation in the voucher program. In total, Holmes raised \$221,421 in contributions, with \$146,850 coming from vouchers. Lindsay raised \$153,762 in cash contributions.

#### *Campaign fundraising by City Council candidates*

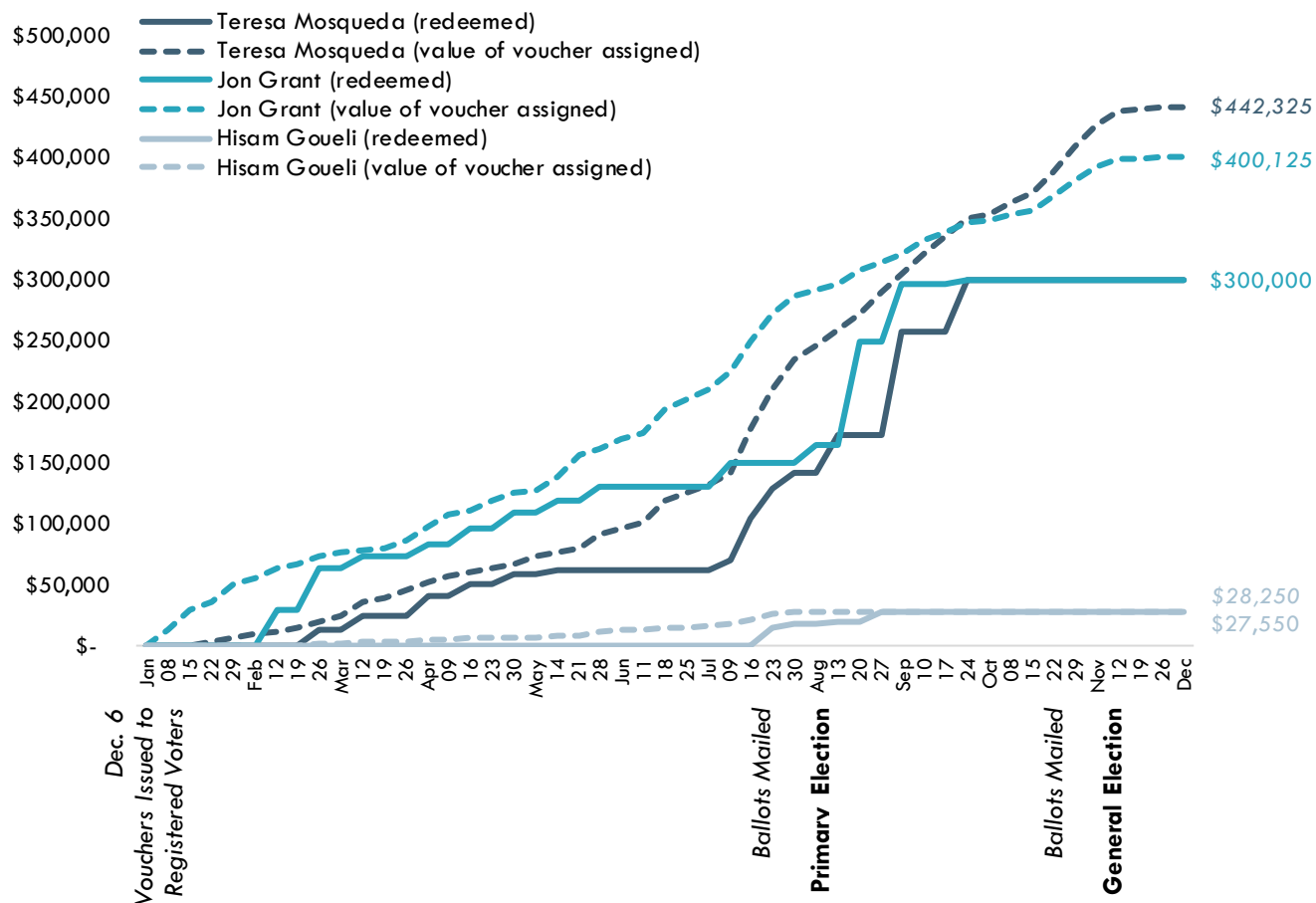
Some campaigns reported that the availability of Democracy Vouchers completely changed the way they approached campaign fundraising. For instance, candidates and campaign managers reported spending less time pursuing wealthy contributors and more time collecting vouchers. This was in part due to the \$250 individual contribution limit to campaigns participating in the DVP and in part due to the double payoff of directly engaging Seattle residents about the campaign and their ability to support it at no personal cost with Democracy Vouchers.

In total, SEEC issued \$993,675 in checks to the five City Council candidates who qualified to redeem vouchers. Exhibit 12 and Exhibit 13 present a timeline of the 2017 election cycle with the total of

<sup>16</sup> SEEC. (2017). 2017 Elections Report. Retrieved from <http://www2.seattle.gov/ethics/elpub/2017Report.pdf>

Democracy Voucher funding redeemed by qualified City Council candidates. The exhibits also show the total value of vouchers returned to SEEC assigned to each candidate. Three campaigns were limited in the amount of voucher funding they could receive by campaign spending limits.<sup>17</sup> Only two campaign received significant funding from vouchers before ballots were mailed for the primary election.

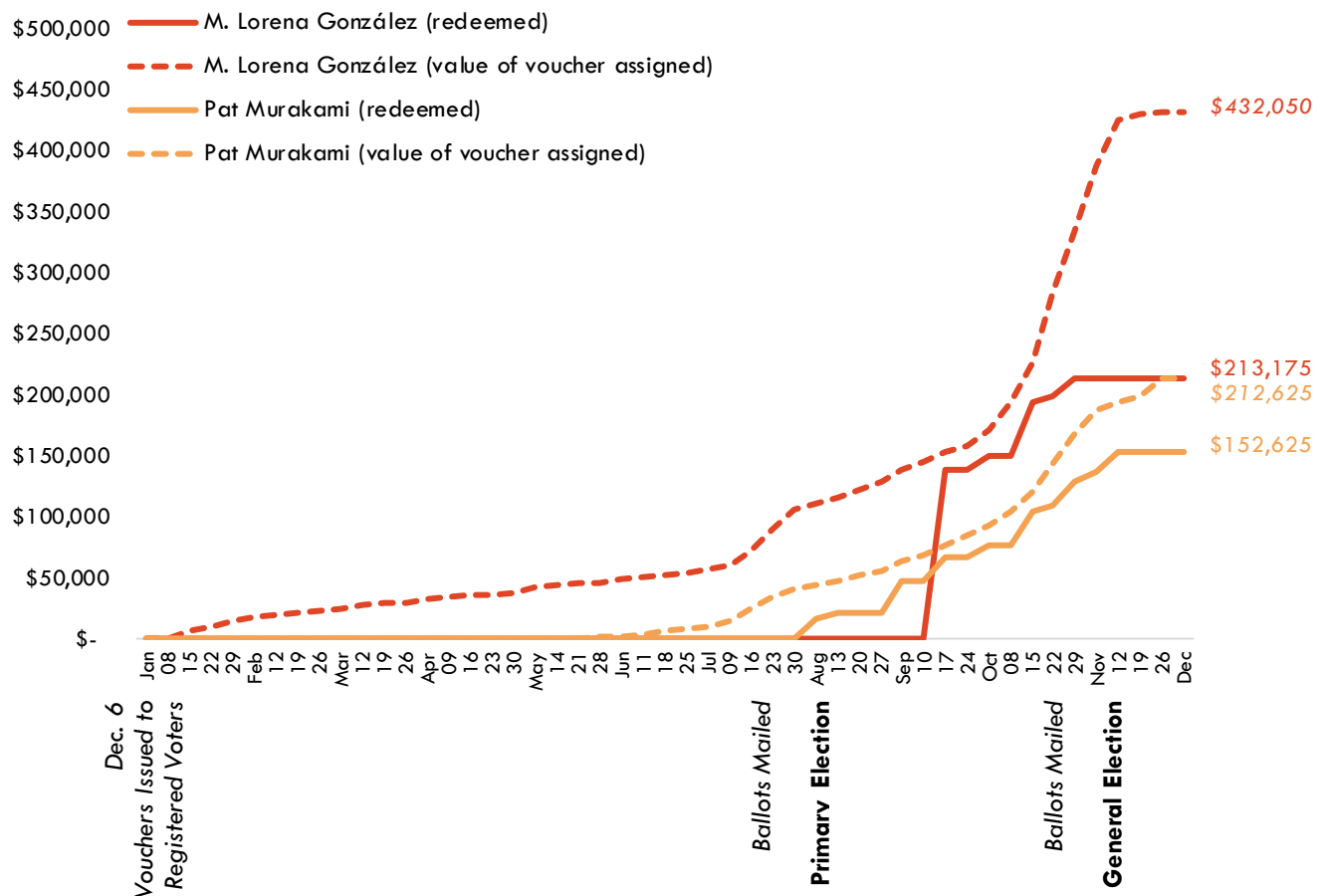
**Exhibit 12. Voucher Funding Redeemed by Candidates for City Council Position 8**



Source: SEEC, 2018; BERK, 2018.

<sup>17</sup> Unless released from campaign spending limits, City Council candidates were limited to receiving a total of \$300,000 in contributions from vouchers or cash. Campaigns that were released from spending limits were limited to receiving up to \$300,000 in vouchers funding *plus* cash contributions.

### Exhibit 13. Voucher Funding Redeemed by Candidates for City Council Position 9



Source: SEEC, 2018; BERK, 2018.

### Campaign spending limits and independent expenditures

Participants in the DVP pledged to limit campaign spending. However, as discussed above, candidates could apply for a release from limits if an opponent's spending, including independent expenditures, exceeds the spending limit. The writers of the Honest Elections Initiative had hoped that this "trigger" provision would provide some incentive for all candidates, including non-DVP participants, to constrain their spending—as well as independent expenditure spending on their behalf—below the limit to avoid giving their opponent the opportunity to be released from spending or contribution limits.<sup>18</sup>

There is some evidence that this incentive had a role in the City Attorney race. An interviewee who was involved in the Lindsay campaign indicated their strategy was to stay below the DVP spending limit to avoid allowing the opponent, Pete Holmes, from being released from his spending limits. However, an uncoordinated independent expenditure against Pete Holmes pushed Scott Lindsay slightly over the \$150,000 spending limit and enabled Pete Holmes to successfully request the SEEC to be released from spending limits. In the end, Pete Holmes collected \$221,421 in contributions compared to Lindsay's \$153,762. This raises the question of whether it is fair for a single, small independent expenditure to

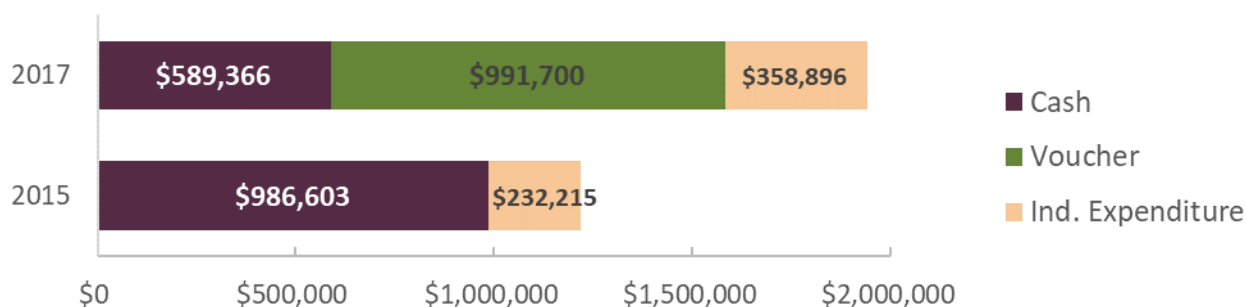
<sup>18</sup> See Durning, A. (2015, April 20). [Seattle Candidates, Meet Democracy Vouchers: How Seattle's New Public Campaign Funding System Helps You Run for Office](#). Sightline Institute.

influence an election in this way. If so it may open up the potential for supporters of a candidate create a small independent expenditure *against* their preferred candidate with the sole purpose of pushing the opponent over his or her combined contribution and independent expenditure spending limit.

It is possible the organization that made the independent expenditure against Holmes had no idea that they would be triggering a release from campaign spending limits. It is also likely that organizations will make more informed decisions about whether and when to make independent expenditures on their preferred candidate's behalf once they become more familiar with the DVP. However, the outcome of the race for City Council Position 8 in 2017 indicates that there may be scenarios in which independent expenditures become and even larger element in competitive local elections, including candidates participating in the DVP.

Exhibit 14 compares total contributions and independent expenditures in the two at-large City Council races in 2017 to the races for the same positions in 2015. It shows a significant decrease in the total amount of cash contributions in 2017 compared to 2015, despite a very competitive race for Position 8 which featured DVP candidates released from spending limits during both the primary and general election periods. However, when including contributions from vouchers, candidates in 2017 raised about 60% more in total funds than those in 2015. Additionally, independent expenditures increased by about 55% compared to 2015.

**Exhibit 14. Total Contributions and Independent Expenditures in At-Large City Council Races**

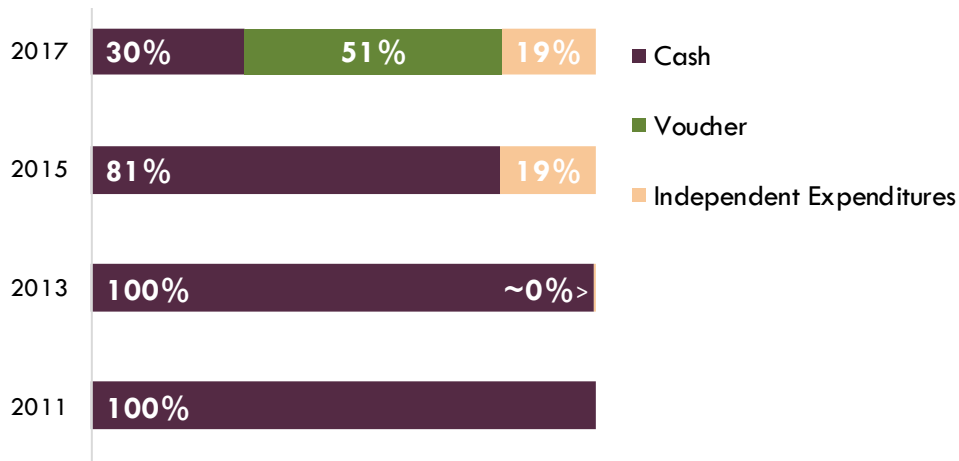


Source: SEEC 2018; BERK 2018.

One explanation for the increase in independent expenditures is the fact that the DVP made the race for Position 8 in 2017 so competitive. Two candidates participating in the DVP were able to raise significant amounts of funds through Democracy Vouchers during both the primary and general election periods. This put pressure on supporters of a third candidate, who was not participating in the DVP, to spend over \$133,000 in independent expenditures during the primary. Then, during the competitive general election contest, independent expenditures once again triggered a release from spending and contribution limits, with over \$222,000 backing one of the two candidates.

While independent expenditures for at-large city council races were up in 2017 compared to 2015, they did not increase as a percentage of the total campaign spending in those races, as shown in Exhibit 15. Independent expenditures made up 19% of total contributions and expenditures in both 2015 and 2017. In 2013 and 2011 independent expenditures played a very small role in at-large city council races. However, the at-large races those years all featured incumbents who, in most cases, didn't face well-funded competitors.

### Exhibit 15. Contribution/Expenditure Types as a Percentage of Total Spending in At-Large City Council Races



Source: SEEC 2018; BERK 2018.

This issue is addressed in Recommendation 2.2: Consider clarifications and refinements to guidelines regarding release from spending limits.

## GOAL 3: HEAVY UTILIZATION OF VOUCHERS BY THOSE WHO HAVE NOT PREVIOUSLY DONATED TO SEATTLE POLITICAL CAMPAIGNS

### 3a. How many voucher users had never previously contributed to a political campaign?

In total, 20,772 Seattle residents used their Democracy Vouchers in 2017. 88% of these voucher users had never contributed to a local election campaign in Seattle between 2011 and 2015, or 18,284 people in total.<sup>19</sup>

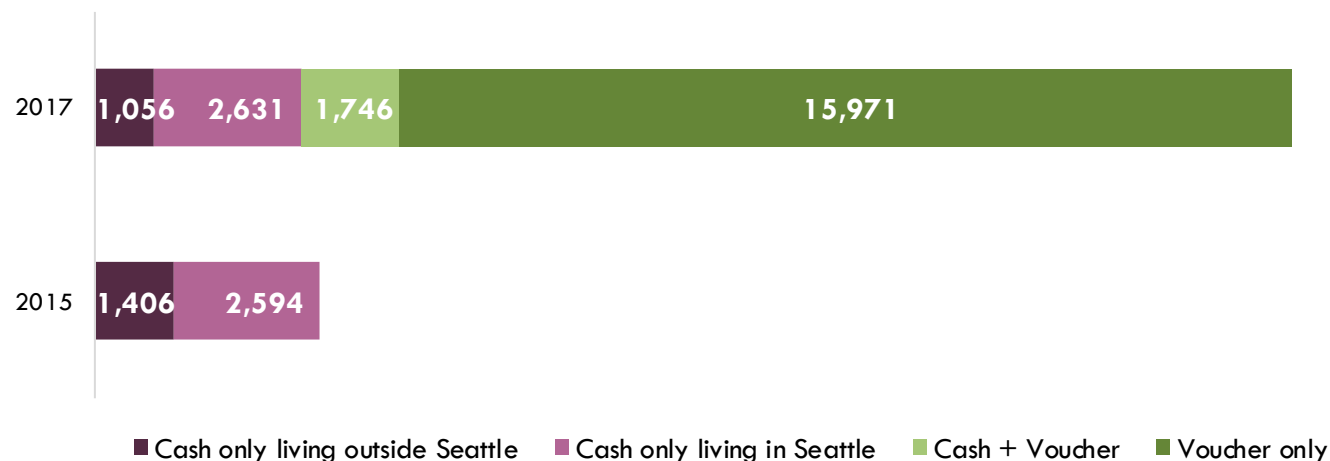
3.4% of Seattle's adult population used their vouchers in 2017. For comparison, only 1.3% made cash contributions to a City Council candidate in 2015<sup>20</sup>. However, 2015 featured nine City Council races compared to only two in 2017. A more direct comparison can be made by analyzing the number of contributors to at-large City Council candidates in 2015 and 2017. As noted above, each year featured two at-large races, one with an incumbent on the ballot and one without. Exhibit 16 shows that over five times as many Seattle residents contributed in these races in 2017 compared to 2015. This includes nearly 18,000 voucher users, 1,746 of whom also made cash contributions. Donors who gave cash and vouchers could have given cash towards a campaign in order for them to qualify to participate in the DVP, they then could have used their vouchers as well.

An additional 3,744 people only made cash contributions in 2017, with over 1,000 cash donors living outside of Seattle. In 2015, only 2,594 people living in Seattle (0.43% of Seattle's adult population) contributed to candidates in these races, with over 1,406 cash contributors living outside of Seattle.

<sup>19</sup> These numbers are based on BERK's analysis of SEEC data on voucher users and campaign contributors between the years of 2011 and 2015.

<sup>20</sup> BERK's analysis identified 7,869 unique individuals living in Seattle who donated to campaigns during the 2015 election cycle. Adult population estimates calculated using OFM's total population estimate for 2015 multiplied by the percentage of residents in Seattle that are 18 years or older based on the 2015 American Community Survey 1-year estimate.

### Exhibit 16. Unique contributors to at-large city council races in 2015 and 2017



Source: SEEC 2018; Every Voice 2017; BERK 2018.

### 3b. What are the characteristics of voucher users? Are they more representative of the Seattle population than cash contributors?

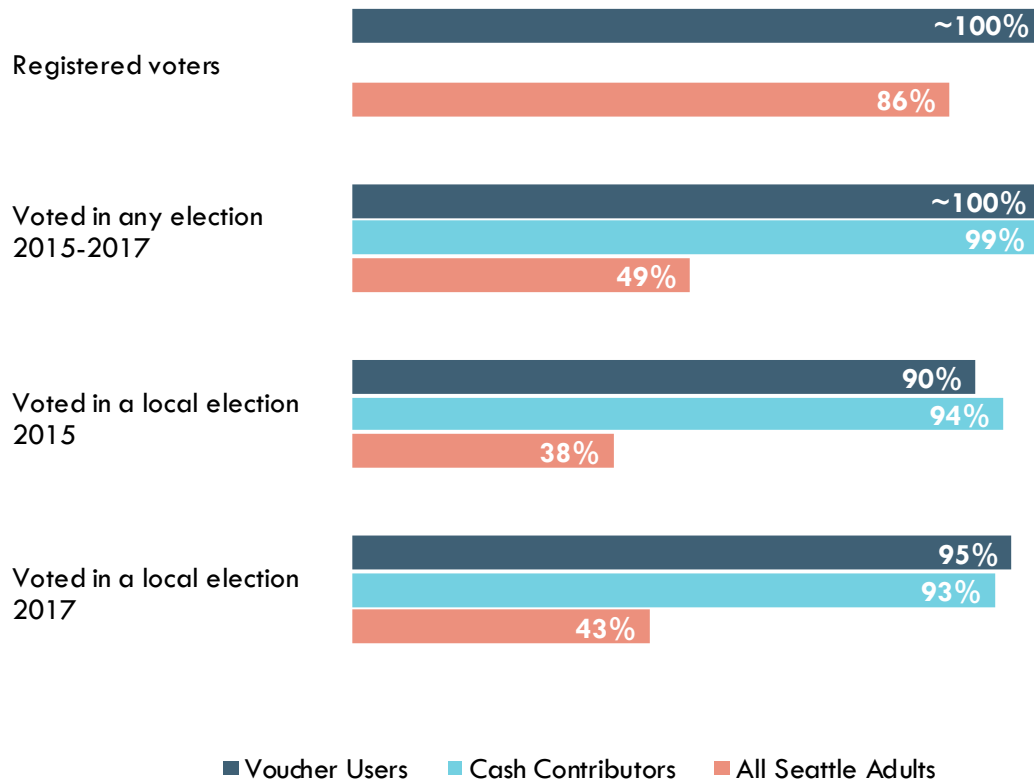
#### *Voting and political activity*

As may be expected, voucher users are significantly more likely to be politically engaged than the average Seattle resident. As shown in

Exhibit 17, voucher users are more likely to vote in local elections. 95% voted in the 2017 general election compared to just 43% of adult Seattle residents and 93% of cash contributors. Among voucher users who were registered to vote in time for the 2015 local election, 90% did so.



## Exhibit 17. Comparison of Voucher User Voting Activity to 2015 Cash Contributors and All Seattle Adults<sup>21</sup>



Source: SEEC, 2018; WA Secretary of State, 2018; BERK, 2018.

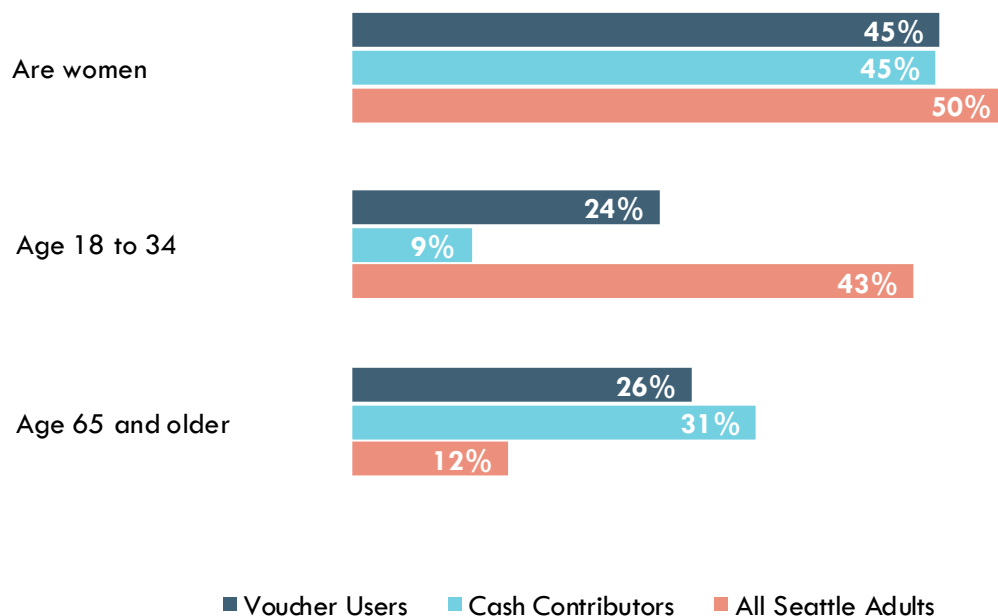
### Demographic characteristics

Exhibit 18 compares voucher users' demographic characteristics to 2015 campaign contributor and Seattle's adult population. Like campaign contributors, voucher users are less likely to be women, less likely to be young (age 18-34) and more likely to be older (age 65+) than the general population. However, there are some significant differences. Most notably, younger adults made up a much larger share of all voucher users (24%), compared to cash contributors (9%). Conversely, the share of voucher users age 65+ is lower (26% compared to 31%). Nonetheless, the rate of voucher use among younger adults is considerably lower than for older residents, as is typical in voter turnout.<sup>22</sup>

<sup>21</sup> Registration information is a Jan. 5, 2018 extract of the WA Secretary of State of Seattle (SOS) voter registration database. All registrations include what the SOS considers Active and Inactive. Population is based on Washington State Office of Financial Management's (OFM) 2017 estimate of total population and the percentage of residents who are adults from the 2016 American Community Survey 1-year estimate. The 2015 and 2017 voting history considers local Seattle elections.

<sup>22</sup> See (Heerwig & McCabe, 2018) for an analysis of participation rates by age group.

**Exhibit 18. Comparison of Voucher Users Demographic Characteristics to 2015 Cash Contributors and All Seattle Adults**



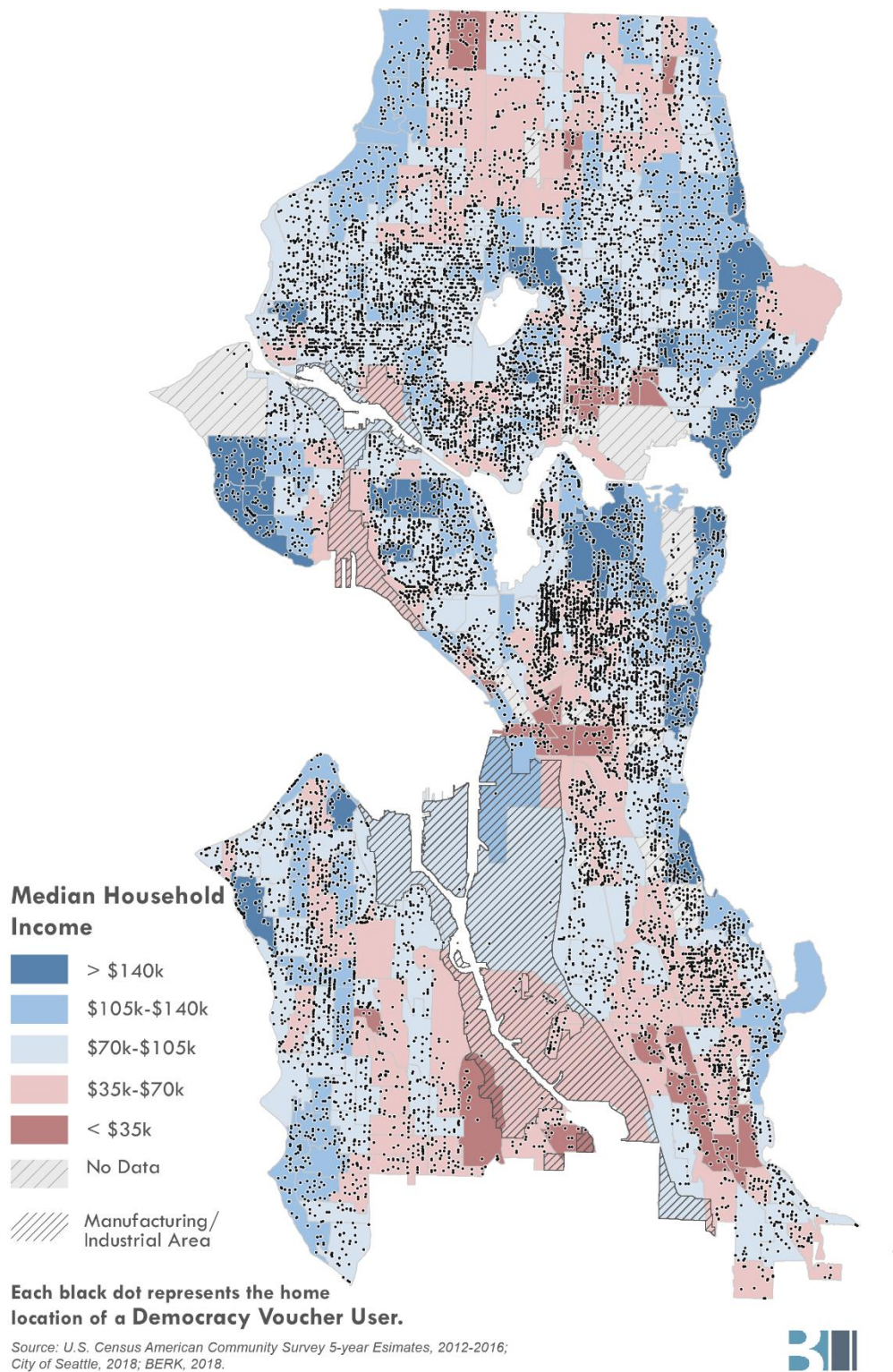
Source: SEEC, 2018; WA Secretary of State, 2018; BERK, 2018.

**3c. What are the neighborhood characteristics of voucher users? Are they more representative of the Seattle population than cash contributors?**

Verifiable information about the income and race of individual voucher users is not available.<sup>23</sup> However, it is possible to identify the income and demographic characteristics of neighborhoods in which voucher users live. Exhibit 19 shows the home locations of all voucher users as dots overlaid on neighborhoods shaded by income level. Exhibit 20 is the same map with neighborhoods shaded by percent of population that are persons of color. Both maps show that voucher users live in neighborhoods across the entire city, but with greater density in some neighborhood types than others.

<sup>23</sup> The only demographic data that exists for voucher users is age and gender. Other characteristics may be inferred using voter profiling tools such as Catalist. However, the accuracy of such proprietary models is impossible to verify and therefore BERK opted not to use this kind of information in this study. Another study by Heerwig and McCabe (2018) does utilize Catalist data to analyze voucher users based on assumed demographic characteristics.

**Exhibit 19. Home Locations of Voucher Users and Median Household Income**



**Exhibit 20. Home Locations of Voucher Users and Percent Persons of Color**

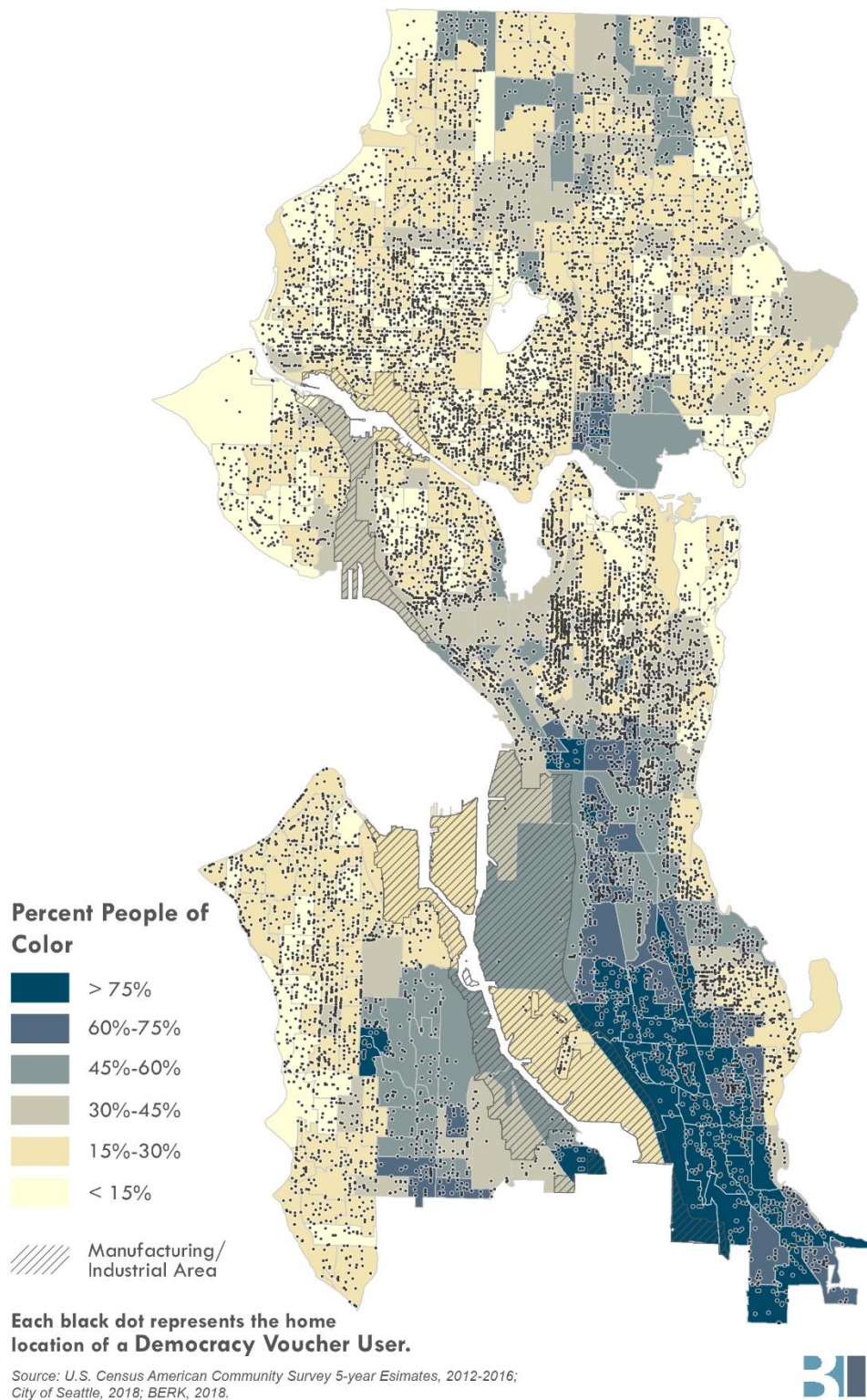
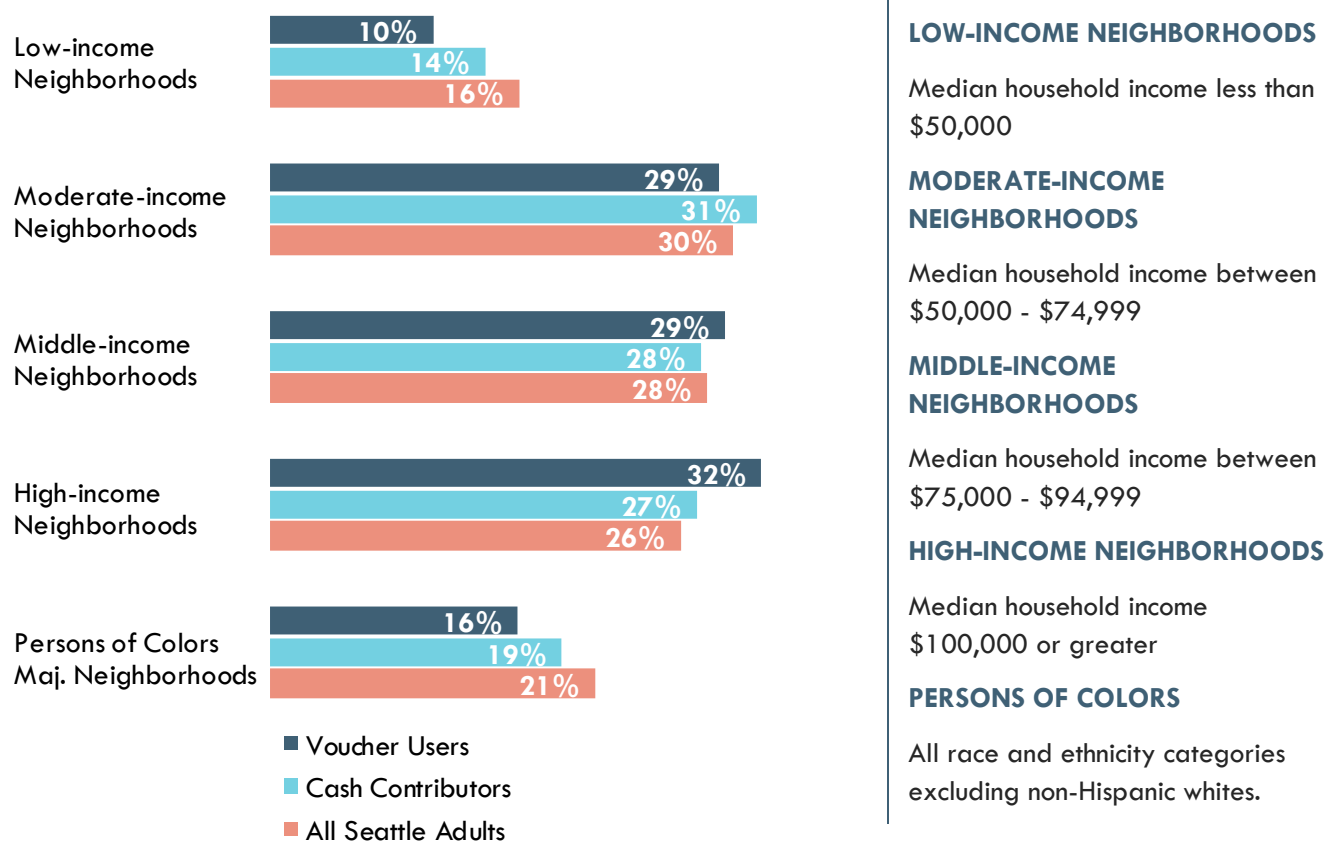




Exhibit 21 presents a comparison of the neighborhood characteristics of voucher users to those of 2015 cash contributors<sup>24</sup> and the Seattle adult population. It shows that voucher users are less likely to live in low-income neighborhoods and more likely to live in high-income neighborhoods than cash contributors. It also shows that voucher users are less likely to live in neighborhoods where the majority of residents are persons of color. This is a counter-intuitive finding given the program's goal of increasing the diversity of residents who can have influence as contributors to local elections. It is possible that the rapid pace of population growth in certain Seattle neighborhoods may have impacted the geographic pattern of engagement in local campaigns between 2015 and 2017.

**Exhibit 21. Neighborhood Characteristics of Voucher Users Compared to Adult Seattle Residents and 2015 Cash Contributors**



Source: SEEC, 2018; Washington Secretary of State, 2018; BERK, 2018.

### 3d. Were voucher users successful in using their vouchers to fund qualified campaigns?

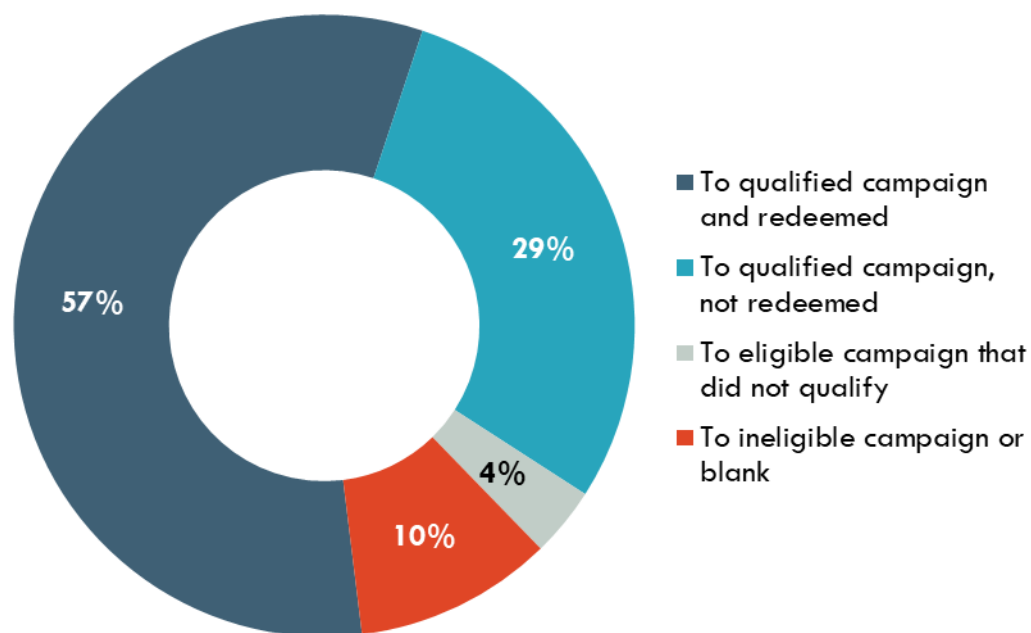
The Seattle Democracy Program is a brand-new program and one of the first-of-its-kind in the nation.

<sup>24</sup> The data in this chart represents all unique cash contributors to the two at large city council positions in 2015. BERK also analyzed the neighborhood characteristics of only those cash contributors for all positions in 2015. The distribution of cash contributors in 2015 could be influenced by the fact that there were seven city council district races that year, compared to zero in 2017. The shares in each neighborhood category shifted very slightly and did not impact the overall findings discussed above. Heerwig and McCabe (2018) conducted a similar analysis using data about 2017 cash contributors instead of 2015. They found that voucher users were more likely to be from low-income neighborhoods and less likely to be from high-income neighborhoods than 2017 cash contributors. This difference in finding may be due to a change in the geographic pattern of campaign contributors between 2015 and 2017, most notably the fact that 2017 contributors included the mayoral campaign.

Seattle residents had to learn for the first time what the program is all about, how to use their vouchers, and what kinds of candidates were qualified to receive voucher funding. Unlike an election ballot, which lists all of the candidates for a given race, Democracy Vouchers were not provided to residents with a list of eligible candidates. Instead, residents needed to do additional research, such as checking the SEEC website to determine which candidates could accept vouchers and which could not. As a result, there was opportunity for confusion on the part of residents and incorrect usage of vouchers.

BERK's analysis of voucher data indicates that most voucher users were successful in assigning vouchers to qualified candidates. Exhibit 22 shows how each of the nearly 80,000 returned vouchers were assigned and whether those vouchers were redeemed by candidates. 87% of all vouchers returned to SEEC were assigned to candidates that were qualified to receive voucher funding. An additional 4% of vouchers were assigned to candidates that were participating in the DVP, but did not eventually qualify to redeem voucher funds. 10% of all vouchers returned were not assigned to a candidate participating in the DVP. These could have been blank or assigned to a candidate that was ineligible to receive vouchers, such as a mayoral candidate.

**Exhibit 22. Voucher Assignment and Redemption Status**



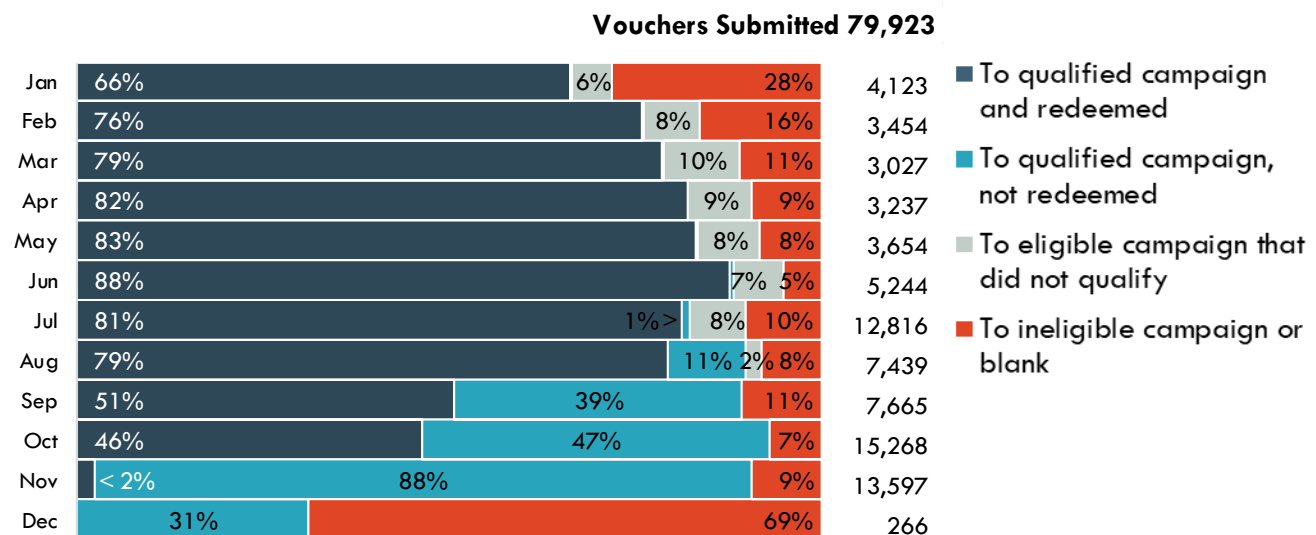
Source: SEEC, 2018; BERK, 2018.

A large portion of correctly assigned vouchers were not able to be redeemed by qualified candidates. This is because many candidates who qualified for vouchers hit their campaign spending limit and could not accept additional voucher funding, despite the surplus vouchers returned on their behalf. Exhibit 23 shows the same breakdown of voucher assignment and redemption status by month. Three important points can be taken from this exhibit:

- In January 2017, 28% of vouchers were not assigned to a qualified campaign. This percentage dropped throughout the winter and spring and then remained fairly steady until November. This indicates that ongoing outreach and education efforts may have had some impact on residents' understanding of how to use the program correctly.

- Vouchers assigned to eligible candidates that did not qualify to redeem vouchers funding dropped off to near zero after the primary election. This makes sense since all the candidates in the general election were qualified to redeem vouchers, with the exception of Scott Lindsay who was not participating in the DVP.
- The percentage of vouchers assigned to qualified campaigns that were not redeemed increased significantly following the primary election. By November, nearly all of the vouchers returned fell into this category. This indicates many Seattle residents did not understand that their preferred candidate had already reached the limit for vouchers funding.

**Exhibit 23. Voucher Submissions by Campaign Status by Month, 2017<sup>25</sup>**

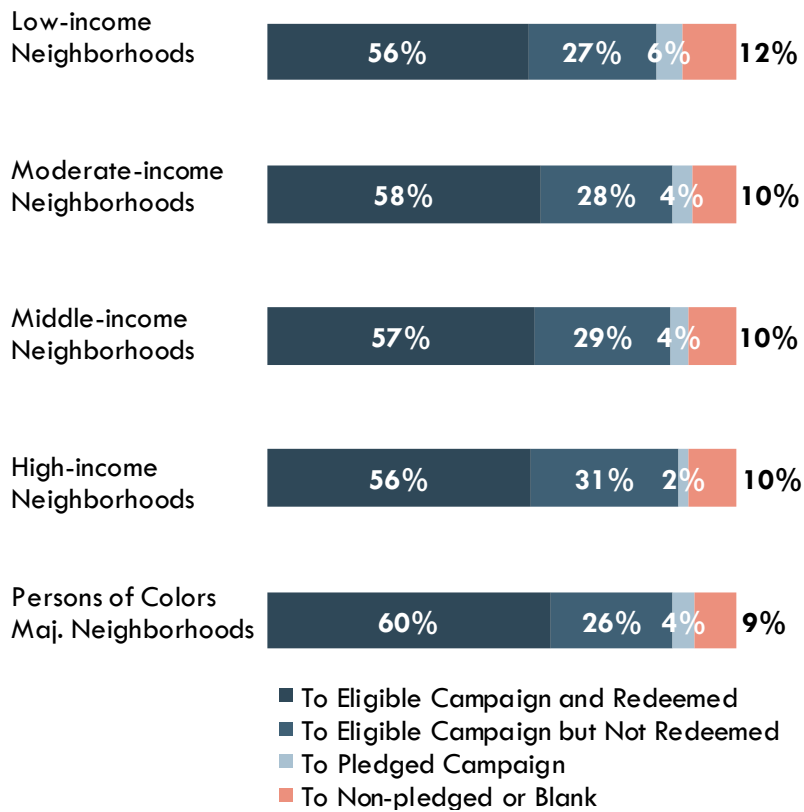


Source: SEEC, 2018; BERK, 2018.

Exhibit 24 breaks down the same data by the voucher users' neighborhood characteristics. It shows very little variation by neighborhood type. Voucher users living in low-income neighborhoods were about as likely to assign their voucher to an ineligible candidate as were voucher users living in high-income neighborhoods.

<sup>25</sup> Voucher submissions are categorized using two fields in the voucher database, campaign status and voucher status. If a voucher did not have information, it was categorized to ineligible campaign or blank, which also includes void ballots.

## Exhibit 24. Voucher Submissions by Campaign Status by Neighborhood Characteristic <sup>26</sup>



Source: SEEC, 2018; U.S. Census American Community Survey 5-year estimates, 2012-2016; BERK, 2018.

### 3e. How did residents learn about the DVP?

The most common ways that Representative Survey respondents learned about the DVP was from the vouchers they received in the mail (42%), from a news or media story (34%), and/or from friends and family (32%). Survey respondents were invited to select one or more communication channels. Exhibit 25 breaks down survey results for all respondents, and by race/ethnicity (white and persons of color<sup>27</sup>) to see if there are significant differences between groups.

- **Nearly half of Seattle residents learned about the DVP when they received their vouchers in the mail.** However, whites were significantly more likely to learn about the program this way (45%) than were persons of color (35%).
- **There were some differences in how residents learned about the DVP based on their racial/ethnic identification.** Respondents who identify as white were more likely to learn about the program through a news story (37%) than were persons of color (24%). This may reflect higher engagement in local news media by white residents or the lack of coverage of the DVP in Seattle's ethnic media. Survey respondents who identify as persons of color were more likely to learn about the DVP through friends and family (40%), compared to white respondents (30%). Persons of color

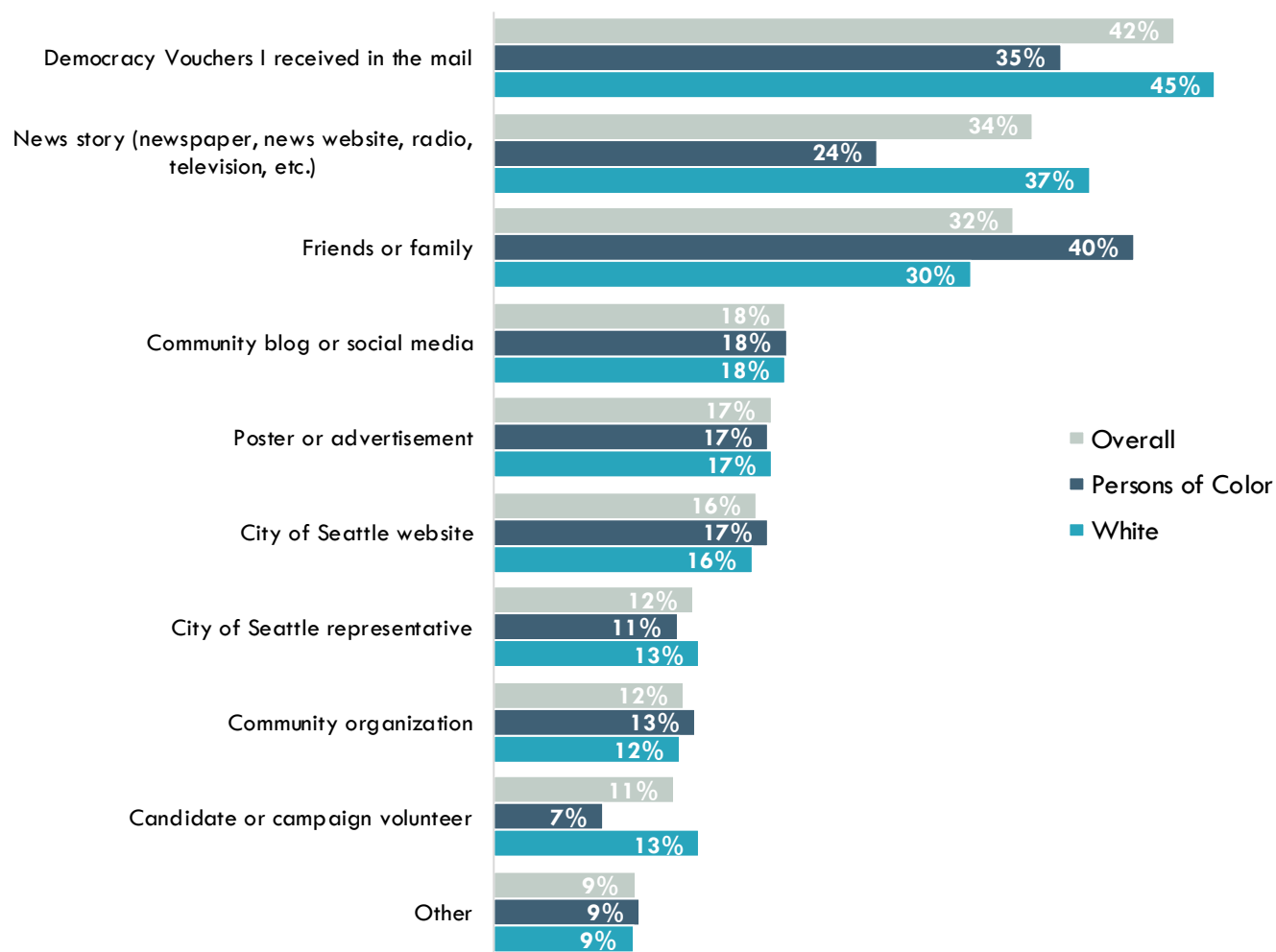
<sup>26</sup> "Redeemable" by database is voucher status of received, accepted, or hold.

<sup>27</sup> Persons of color is used here to describe any person who is not white and not Hispanic/Latino.



were also more likely to learn about the DVP from campaign outreach: 13% of survey respondents who identify as persons of color reported learning about the DVP from campaigns, compared to only 7% of white survey respondents.

**Exhibit 25. How Residents Learned About the DVP (Representative Survey)**



Source: BERK, 2018.

### 3f. What encouraged voucher users to participate in the DVP?

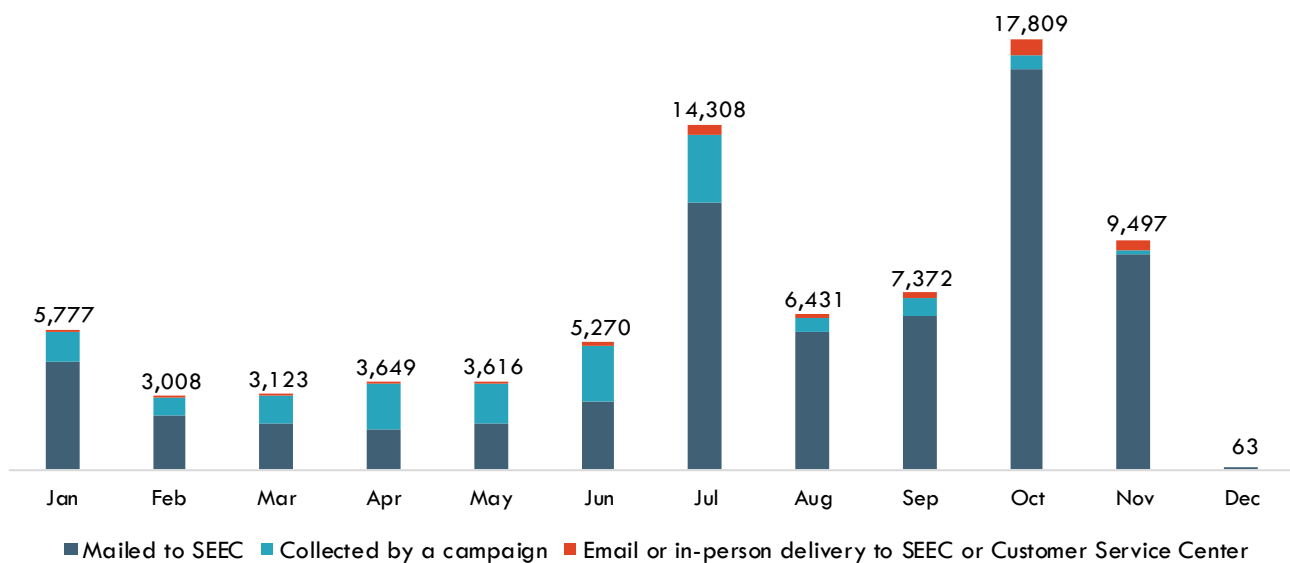
The analysis of voucher users indicates that they are much more likely to vote in local elections than the general public. However, only a small fraction of all Seattle voters used their vouchers. Examining voucher return methods provide additional clues about what other factors may promote engagement. Exhibit 26 shows voucher returns by month.

- **Most vouchers were returned through the mail.** Overall, 80% of vouchers were mailed directly to SEEC.
- **Nearly 1 out of 5 vouchers was returned via a campaign.** 17% of vouchers were collected by a campaign. According to campaigns interviewed for this study, the most common methods of voucher collection was door-to-door canvassing (by both paid canvassers and volunteers) or house parties and campaign fundraising events featuring the candidate. Campaigners engaging residents typically had stacks of blank Voucher Replacement Form, which enabled residents to return their voucher even

if the original was lost or trashed.

- **Campaigns were most active before the primary.** Campaigns collected the largest share of voucher submissions during the period from April to June 2017, ranging from 44 to 56% received in this period. In July, the month before the primary, the count of vouchers collected by campaigns increased, however the rate of returns by mail were much higher and the share of campaign collections decreased to 20% and diminished significantly thereafter. By August, two campaigns were reaching the limit for how much they could redeem from vouchers and therefore were likely reducing their efforts to encourage voucher contributions significantly.

**Exhibit 26. How did residents return their vouchers to SEEC? (2017)**



Source: SEEC, 2018; BERK, 2018.

Community Liaisons and community organizations that conducted direct outreach to engage communities of color identified the following factors as ones that most reliably encouraged participation.

- **The community had a candidate they were excited about,** and they saw the vouchers as a way to donate to somebody they already supported.
- **Translated materials and postage-paid envelopes** also supported voucher use among communities of color and immigrant populations. The paid envelopes reduced barriers to finding and paying for stamps to return the vouchers.
- **Education to inform people about the DVP.** Many residents who learned about the program and understood its purpose and goals felt more encouraged to use their vouchers. As this program is new, and there are not many other models of it in the country, raising awareness and education are important to encouraging use.
- **Demonstrating how to use a voucher.** Community Liaisons and community organizations thought it was helpful when they demonstrated to people how to fill out the information requested on the vouchers. These demonstrations also helped people remember what the vouchers looked like, in case they misplaced them.

## Effective Communication Messages

The Win-Win Network found that messaging around “every person has a voice” polled the best during their own testing and experiments in encouraging awareness and use of Democracy Vouchers in Southeast Seattle. In our focus groups, Community Liaisons and community organizations and volunteers expressed that the following messages were helpful in raising awareness and encouraging residents to use vouchers:

- Messages were tailored for a specific audience and were relevant to issues or things they care about.
- DVP is a way to support your candidate and generates a sense of pride in using it. This is a new program to give “power to the people,” or “every person has a voice.”
- DVP helps people from under-served communities run for office.
- It’s a resource that all residents, including permanent residents (green card holders), have access to.
- That the money is already collected from taxpayers, “let’s not waste this money.”

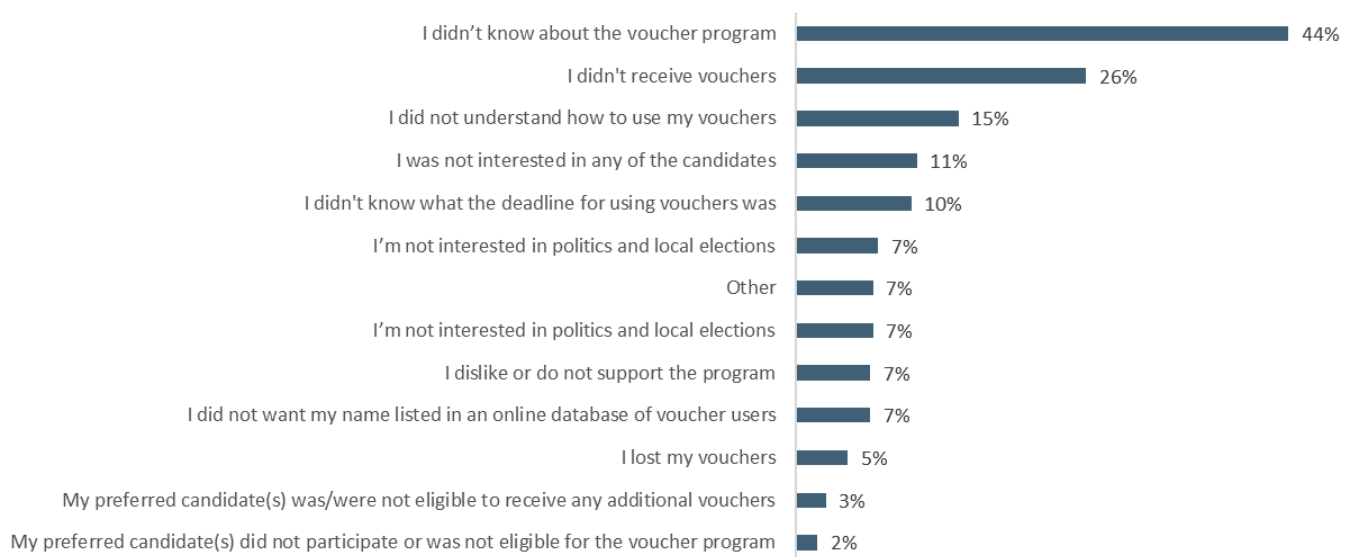
The Win-Win Network also sequenced their communication messages in the months leading up to the election. For example, they phased the messaging starting in winter 2017 through the summer and fall of 2017.

### 3g. What were the barriers to participation in the DVP?

Survey respondents who did not participate in the DVP were asked to indicate the reasons (1 or more) why they didn’t use their vouchers. Results are shown in Exhibit 27. The most common response was lack of knowledge about the program (44%), followed by not receiving the vouchers (26%). The rest of the answer choices received much lower response rates.

#### Exhibit 27. Reasons Residents did not Use their Vouchers

Why did you not use your vouchers in 2017? Check all that apply. (N=406)



Source: BERK, 2018.

Many Community Liaisons and community groups focused on informing and educating communities of color about the DVP and how it worked. They also highlighted several issues that can impact the success of outreach and engagement efforts in these communities.

- **Cultural differences in perspectives about politics and familiarity with a democratic system.** Particularly for communities of color and immigrants, liaisons highlighted it is important to understand their cultural relationship with politics and governance, and understand the political systems in their country of birth. For example, the experiences of many immigrant communities with more repressive political regimes have led to a reluctance to engage in politics here in Seattle. These cultural differences in views on politics and government, as well as their familiarity with a democratic system can stand as a challenge to engaging and encouraging members of these communities to participate in the DVP.
- **Other challenges and issues within a community.** There may be other more pressing challenges that a community is facing that may be barriers to participation in the DVP. Issues could be displacement, economic insecurity, or distrust in politics and authority that may be influenced by perceptions and comparisons to politics and governance in a group's country of origin, or in other parts of the U.S.
- **Confusion about which candidates and offices could accept vouchers.** There was a lot of interest in the mayor's race, but vouchers could not be used for the mayor's race in 2017.
- **Confusion about eligibility.** Particularly among immigrant communities, such as the Hispanic/Latino community, there was confusion about whether they were eligible to participate in the DVP, given that many were not registered or eligible to vote.
- **A general lack of interest and trust in the political system.** Some people are not interested in politics, or believe that their voice, vote, and voucher won't make a difference. If a person is not registered to vote, or is suspicious about the political system, outreach about the DVP may be of low importance to them.
- **People do not have time** to learn about candidates, issues, and the offices on the ballot.

## GOAL 4: HIGH PUBLIC SATISFACTION WITH THE PROGRAM

### 4a. What is the level of awareness of the DVP among the Seattle population?

- **Most Seattle residents are aware of the DVP.** While only 3.4% of adult Seattle residents used their vouchers in 2017, results from the Representative Survey indicate that the level of awareness of the program was much higher, as shown in Exhibit 28. Only 15% of survey respondents indicated that they were very familiar with the DVP. However, an additional 50% of survey respondents answered, "Somewhat familiar" or "I've heard of it, but don't know what it is". The remaining 37% indicated they had never heard of the program. Given that the survey was conducted in March 2018, several months after the conclusion of the 2017 election, this level of general awareness of at least the existence of the program is notable and indicative that outreach and education efforts had some success.

**Exhibit 28. Awareness of the DVP: Representative Survey**

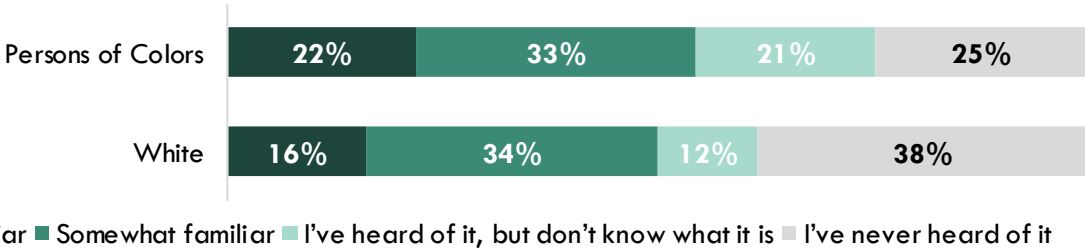
Before receiving this survey, how familiar were you with Seattle’s Democracy Voucher Program?



Source: BERK, 2018.

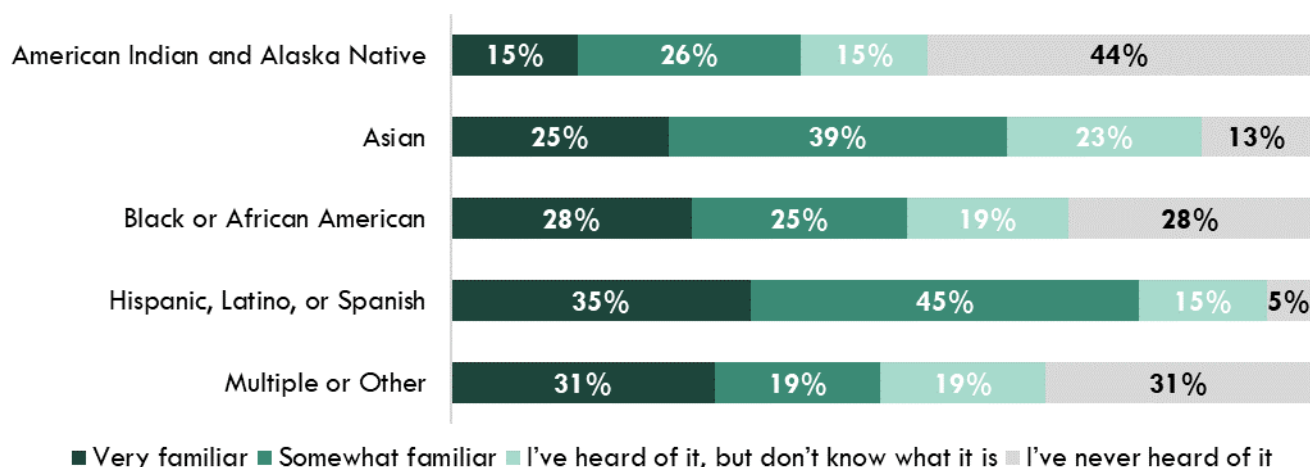
- **Awareness is higher among persons of color.** Exhibit 29 compares awareness of the DVP by white residents to awareness by persons of color. Only 25% of persons of color answered “I’ve never heard of it”, compared to 38% of white respondents. This may reflect the impacts of targeted outreach to communities of color by SEEC, DON Community Liaisons and community-based organizations.

**Exhibit 29. Program Awareness by Race/Ethnicity Category: Representative Survey**



- **Awareness varies significantly by race and ethnicity.** Exhibit 30 breaks down communities of color by race and ethnicity. Hispanic, Latino, or Spanish community members were most likely to be aware of the DVP, with only 5% reporting that they’ve never heard of the program. 44% of American Indian and Alaska Natives reported never having heard of the program, as did 28% of Black or African Americans.

**Exhibit 30. Program Awareness by Race/Ethnicity<sup>28</sup>**



Source: BERK, 2018.

*4b. Do residents feel the DVP is achieving its goals? and 4c. How do these perspectives vary by level of awareness and engagement with the DVP?*

All survey respondents were asked to select their level of agreement with a statement about the DVP achieving its goals. As would be expected, responses to this question varied based on the respondents' familiarity and experience with the DVP. In general, those who were more familiar with the DVP were more likely to agree that it met its goals in 2017.

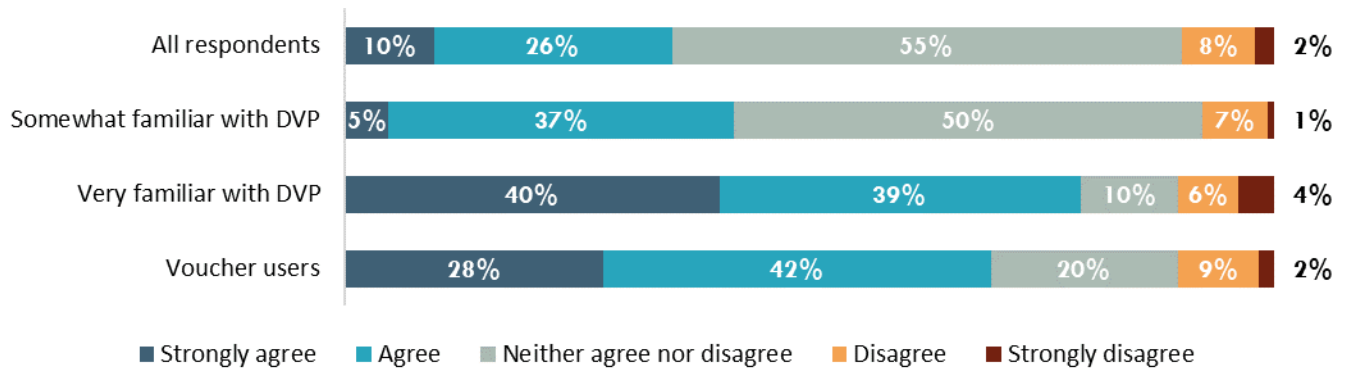
Exhibit 31 breaks down the responses of survey takers for the Representative Survey, Community Liaison Outreach Survey, and DVP Followers Survey. A significantly greater percentage of respondents in the DVP Followers Survey chose "Somewhat Disagree" or "Strongly Disagree". However, this percentage dropped among those who participated in the program.

<sup>28</sup> To ensure there is a sufficient sample size for each racial/ethnic group to present meaningful results, this chart shows combined responses from the Representative Survey and the Community Liaison Outreach Survey. In aggregate, respondents to the Community Liaison Outreach Survey were slightly more likely to have heard of the DVP than Representative Survey respondents.

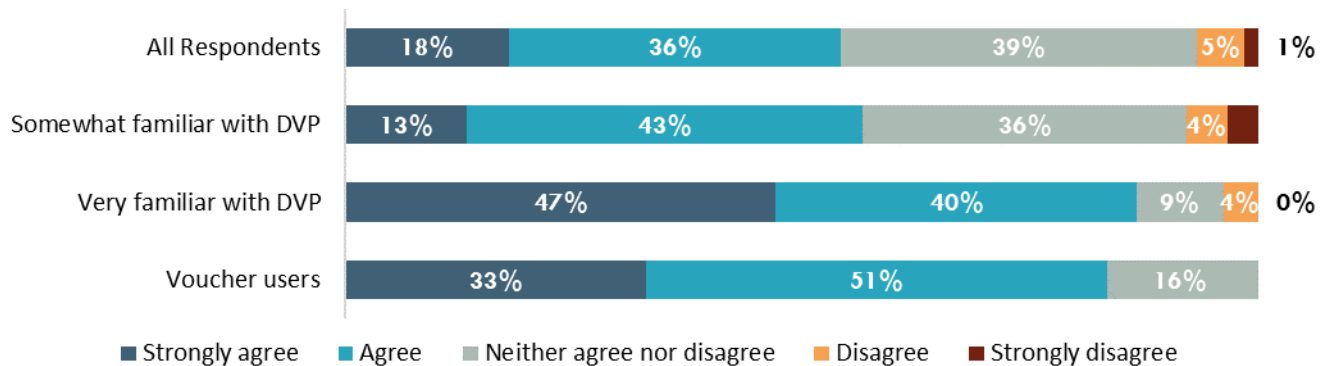
### Exhibit 31. Survey Respondents' Level of Agreement That the DVP Met its Goals

Survey question: The goals of the Democracy Voucher Program are to increase the number of campaign contributors in Seattle and increase the number of candidates who run for office. Participating City Council and City Attorney candidates were also required to adhere to campaign spending and contribution limits. In 2017, do you believe the program met its goals?

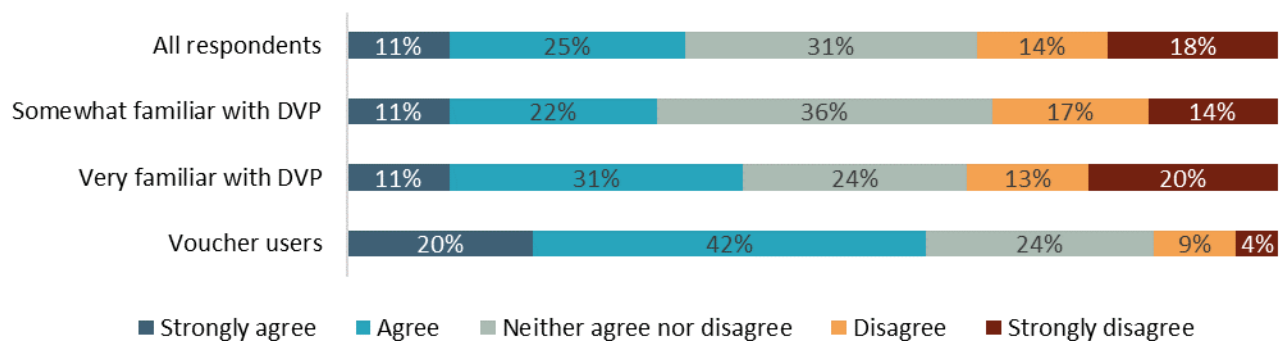
#### Representative Survey



#### Community Liaison Outreach Survey



#### DVP Followers Survey



Source: BERK, 2018.

# Recommendations

Based on the findings of this evaluation, BERK offers several recommendations for program changes that could improve the effectiveness of the DVP at achieving its goals. Some of these recommendations are related to regulatory actions that require City Council approval. The Honest Elections Seattle initiative identifies five program elements that should be considered by SEEC for modification based on a review of program outcomes after each election cycle. These include: voucher mailing date, value and count of vouchers issued to each eligible resident, number of qualifying contributions, campaign spending limits, and individual contribution limit per contributor.<sup>29</sup>

## GOAL 1: ACHIEVE HIGH RATES OF CANDIDATE PARTICIPATION

### Recommendation 1.1: Make no change to the number of qualifying contributions

While frustrations with the qualifying process was a frequent theme in campaign surveys and interviews, very few people expressed the view that the number of qualifying contributions is too high.

### Recommendation 1.2: Streamline the verification process for qualifying contributions

While a high percentage of candidates participated in the DVP in 2017, most candidates did not receive any public funding, or qualified to receive public funding too late in the election cycle to make a difference. This outcome raises questions about how many candidates, and which kinds of candidates, will choose to run for office and participate in the DVP during future election cycles. The biggest barrier to participation for many candidates was collecting contributions along with verifying information.

Campaign representatives communicated strong desire for a more efficient and automated process for verifying qualifying contributions so that they can take advantage of online fundraising tools and reduce or eliminate time spent tracking down signatures. BERK agrees that SEEC should continue to work towards significantly streamlining the verification process – particularly when it comes to qualifying contributions.

As more and more people become accustomed to performing all monetary transactions by credit card or online payment system, campaigns need an option for soliciting qualifying contributions online that allows for the collection of all verifying information electronically at the time of payment. Banks and credit card companies already have systems in place for electronic verification of identity. SEEC should pursue ways to leverage these existing systems of electronic verification to streamline the process of both gathering and verifying qualifying contributions.

### Recommendation 1.3: Provide online dashboard for tracking voucher returns and verification

Candidates would be able to more effectively utilize voucher funding if they had better information about the number of vouchers for their campaign that have been returned to SEEC. Knowing how many vouchers were in the process of verification could give them better information for making financial decisions. We recommend SEEC consider developing an online dashboard that could be available to the general public or just campaigns. For each candidate, the dashboard could show real-time data for the following kinds of statistics:

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<sup>29</sup> Seattle Municipal Code (SMC) 2.04.630 (b) - Candidates to Qualify By Showing Grass Roots Support and Agreeing to New Campaign and Contribution Limits; Redemption of Democracy Vouchers; New Limits on Use of Funds.



- Vouchers received, verified, and redeemed
- Vouchers received and verified, not yet redeemed
- Vouchers received, not yet verified
- Total potential funding in the pipeline (value of vouchers received but not yet redeemed)

#### Recommendation 1.4: Continue to monitor candidate success in qualifying for the DVP

SEEC should continue to monitor how many candidates choose to participate in the DVP and how many qualify to redeem voucher funds to evaluate whether future changes to the number of qualifying contributions or process for verification may be warranted.

## GOAL 2: DEMOCRACY AND ACCOUNTABILITY

#### Recommendation 2.1: Make no change to campaign spending limits

The findings of this evaluation do not justify any change to campaign spending limits.

#### Recommendation 2.2: Consider clarifications and refinements to guidelines regarding release from spending limits

SEEC should consider issuing clearer guidelines to candidates regarding the circumstances under which releases from spending limits would be considered and what would transpire next for campaigns. Such guidelines should consider a variety of potential scenarios, particularly those involving coordinated or uncoordinated independent expenditures which could push one candidate over the spending limit. Such guidelines would increase transparency and enable campaigns to plan more effectively for varying possible scenarios. Additionally, SEEC should consider whether there are situations where incremental increases to spending limits may be a more appropriate response than removing the limits entirely.

#### Recommendation 2.3: Make no change to individual contribution limits

Opinions on this matter varied by campaign with some arguing for lower limits while other arguing for higher limits. However, none of our findings indicates that this limit needs immediate adjustment. Candidates who participated in the DVP won in all elections. In the City Attorney race, the candidate participating in the DVP raised more funds in total contributions than his competitor who did not participate.

#### Recommendation 2.4: Make no change to the value and count of vouchers issued to eligible residents

No one we spoke with felt changes are necessary. Nor did our analysis raise any red flags about the appropriateness of the current practice.

#### Recommendation 2.5: Continue to monitor campaign spending and outcomes

There have not been enough campaigns since the launch of the DVP to assess how it will impact fundraising activity in highly competitive elections in the future. However, the increase in independent expenditures compared to prior elections does raise concerns that the DVP may not always have the intended effect of reducing the role of big money in local elections. This finding indicates that SEEC

should continue to monitor independent expenditures closely and carefully consider the kinds of triggers which would release candidates from spending limits in future elections.

### GOAL 3: HEAVY UTILIZATION OF VOUCHERS BY THOSE WHO HAVE NOT PREVIOUSLY DONATED TO SEATTLE POLITICAL CAMPAIGNS

#### Recommendation 3.1: Postpone the voucher mailing date until at least March 1

The voucher mailing date came up frequently in discussion with candidates and campaign staff, community organizations and volunteers, and DON Community Liaisons who worked to educate Seattle residents about the DVP in 2017. The overwhelming opinion was that mailing vouchers to arrive on January 1 is far too early. Voters are not yet tuned in to the new election cycle and most candidates had not yet even announced their intention to run for office. It is also a difficult time of year to run effective marketing and outreach campaigns to raise awareness of the program, due to the holidays in late December. As a result, many vouchers were lost or tossed.

The findings of this evaluation suggest that the DVP will be more successful at achieving its goals of encouraging widespread voucher usage if the date of the voucher mailing is postponed until March 1 or later, after all candidates have had the opportunity to announce their candidacy and pledge their participation in the DVP. At this point the full list of candidates eligible to receive vouchers will be known and can be communicated more clearly and prominently to Seattle residents in the printed materials that arrive with the vouchers.

Among the campaigns that BERK engaged in this evaluation, the call for postponing the date of voucher mailing came from those that were able to qualify to receive voucher funds very early in the 2017 election cycle (Grant and Mosqueda) as well as those who took much longer to qualify for the program (Goueli, Gonzales, Murakami). The idea that an earlier mailing date is important for newer candidates who may need more time to gather vouchers did not resonate with these later three campaigns. Instead, some argued that mailing vouchers early actually increases the advantage of candidates with the resources and organizational infrastructure already in place to deploy canvassers and efficiently solicit vouchers door-to-door. So, an earlier voucher mailing date just gives those established candidates more time to build upon their head-start. On the other hand, outsider campaigns without the resources to hit the ground running could have the most to gain by postponing the voucher mailing date if the mailing were paired with focused marketing and outreach efforts.

#### Recommendation 3.2: Elevate awareness of voucher mailing day

SEEC can achieve the goals of the DVP more effectively by concentrating significantly more of its marketing and outreach efforts around the date of the voucher mailing. The purpose would be to communicate that the election season has officially begun and that (nearly) all Seattle residents have the opportunity to make a difference in choosing which candidates will have the resources to get their message out to the voters. These efforts should be paired with a campaign to gain local media coverage at par with the coverage of a primary election or opening day of a Mariners season<sup>30</sup>, giving an implied sense of urgency that the time for residents to use their vouchers is now. Consider including a sticker with

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<sup>30</sup> Consider the marketing analogy of “opening day” for the Mariners as an avenue to gain media attention. The voucher mailing date is “opening day” for the local election season where voters are introduced to the new line-up of candidates seeking their vouchers.

every mailing that says, “I used my Democracy Voucher”, much like the classic “I voted” stickers, and to share their decision to use vouchers over social media.

If successful, this strategy could be expected to result in more vouchers being returned during the period shortly after the mailing date and, potentially, a wider array of candidates receiving vouchers much earlier in the campaign cycle. Provided that these same candidates are able to qualify earlier in the campaign cycle (see Recommendation 3.1), the influx of vouchers could result in more public funding to kick-start a greater number of viable campaigns in advance of the primary election.

### Recommendation 3.3: Develop a system for instant electronic delivery of replacement vouchers to registered voters

Many residents lost their vouchers after they arrived in the mail on January 1, 2017. While SEEC provided a clear process for getting replacement vouchers issued, this process presented barriers to participation. Most importantly, the process includes a delay between a request for replacement vouchers and the issuing of replacement vouchers. In Washington State, the voter registration database is public information. Therefore, it should be possible to create a secure website where any resident could enter their name and address into an online form to request replacement vouchers. If a match to a person in the voter registration database is confirmed, and that person has not yet used their vouchers, the website could automatically cancel the already-issued vouchers and issue new replacement vouchers to the resident. These vouchers could then be printed, completed, signed, and returned to SEEC by the resident. The result would be a more efficient system for voucher replacement that requires less SEEC staff time and presents less barriers to participation for Seattle residents.

One benefit of this system would be to enable community-based organizations, DON Community Liaisons, and other intermediaries to more effectively engage and support residents who are new to the program. In 2017 these intermediaries could only educate residents and the program and let them know who to contact to request a replacement ballot. A system for instant electronic delivery could enable these intermediaries to support interested Seattle residents through the entire process of requesting and returning vouchers during one point of contact. Even in cases where the resident does not have access to a printer, this online system could provide the residents voter identification number to write in on a generic replacement voucher form, much like the one used by campaigns in the 2017 cycle.

### Recommendation 3.4: Continue working to establish secure online system for voucher returns

Initiative 122 states that “SEEC shall establish a secure online system for delivery of Democracy Vouchers (without prejudice to any eligible person's right to receive Democracy Vouchers in the mail at his or her option) no later than prior to the 2017 election cycle, unless SEEC determines this target date is not practicable; and in any event no later than the 2019 election cycle.” SEEC is working towards this goal with a great deal of caution, and BERK recommends this work continues with input from experts in the field of computer science and electronic voting. There will be significant benefits to providing a fully online interface to residents who wish to return their vouchers electronically. For instance, the interface could be presented much more like a ballot where the names of eligible candidates and their qualification status for receiving voucher funding could be more clearly and transparently presented. Residents who wish to use their vouchers could do so immediately with a few simple steps and not be required to keep track of paper certificates and return envelopes they may have received months before.

### Recommendation 3.5: Continue to work with intermediaries to engage communities of color

SEEC should continue to engage intermediaries, such as DON Community Liaisons, to help engage communities of color that are under-represented in local electoral politics. In these partnerships, SEEC provides funding, training, and materials while Community Liaisons develop customized outreach plans and conducted direct outreach in their home communities. In addition to working with Community Liaisons, SEEC should also continue to explore the role that community-based organizations (CBOs) can play in raising awareness and encouraging DVP participation, bearing in mind potential challenges. CBOs have varying levels of experience with and interest in the DVP. Furthermore, particularly among communities of color, CBOs may lack the organizational capacity, such as staffing and funding resources, to be most effective at conducting outreach on a new topic such as the DVP. Therefore, SEEC should explore what roles it can play in helping interested CBOs to address capacity barriers as well as different models for engaging communities of color and under-represented communities in coordination with CBOs.

#### *Provide more training to intermediaries conducting outreach in communities of color and under-represented communities*

Several intermediaries such as DON Community Liaisons and representatives of CBOs expressed concern that they did not have a clear understanding of the DVP and how to request and return vouchers. To be most effective, people conducting outreach need to feel confident explaining how residents can use their vouchers. SEEC should prioritize training for these intermediaries and community leaders early in the election cycle before vouchers are distributed to residents. There was consensus among the Community Liaison group that the orientation and their involvement was a late start to begin outreach work on the voucher program, considering that vouchers had been mailed out early in the year. This training should include hands-on demonstrations showing how to request a replacement voucher, how to find a listing of eligible candidates, how to complete and return vouchers, etc.

## GOAL 4: HIGH PUBLIC SATISFACTION WITH THE PROGRAM

### Recommendation 4.1: Create a communications plan for the next election cycle

Maintaining a high level of public support will require raising public awareness about the goals and achievements of the DVP. It will also require that the public perceives the administration of the DVP by SEEC to be fair, impartial, and effective. One important step SEEC can take to support these objectives is developing a communications plan.

This plan would provide the DVP with a strategy and roadmap to guide outreach, engagement, and media efforts as well as the most appropriate roles for SEEC staff and other intermediaries in delivering DVP communications. The process of putting the plan together helps sharpen the communications objectives and desired outcomes, which in turn assists in development of key messages and the selection of outreach audiences, approaches, platforms, and supporting materials.

Part of this plan could be a strategy for more effectively engaging with communities that are typically under-represented as participants in local elections and politics. Outreach and marketing materials seeking to engage communities of color, immigrants, and other under-represented groups should feature messaging that is relevant and sensitive to widely-held perspectives on governance and democracy within those communities. Engaging ethnic media to help disseminate stories about the DVP should also be considered.

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## Appendix: Data Sources

This appendix briefly summarizes the qualitative and quantitative data sources used in this study.

### QUALITATIVE RESEARCH

To inform the findings of this report, BERK engaged SEEC staff, the Democracy Voucher Program Advisory Committee, City of Seattle Department of Neighborhoods staff and Community Liaisons, members of community-based organizations who conducted outreach and engagement, candidates and campaign staff representing eight different campaigns (including both DVP participants and non-participants), and Seattle residents.

#### Interviews and Focus Groups

##### *SEEC Staff*

While BERK conducted an independent evaluation of the DVP, SEEC staff helped to guide the study scope, shared program data for analysis, and provided important perspectives and context to inform BERK's assessment of preliminary findings.

##### *DVP Advisory Committee*

The DVP Advisory Committee provides input to SEEC staff on program implementation, communications, outreach, and program evaluation. BERK engaged nine current and former members of the Advisory Committee through focus groups and interviews to discuss issues of highest priority for inclusion in the evaluation study.

##### *Candidates and Campaign Staff*

An online survey was distributed to all candidates who participated in the 2017 election cycle as well as several campaign managers and treasures. 12 people responded to the survey. BERK also conducted follow-up interviews with seven survey respondents, including candidates and campaign staff who worked for the two City Attorney campaigns and all five City Council campaigns that received public funding from Democracy Vouchers.

##### *Department of Neighborhoods Community Liaisons*

During the 2017 election cycle, SEEC worked in collaboration with the City of Seattle Department of Neighborhoods to engaged Community Liaisons as intermediaries to conduct direct outreach about the DVP in several communities that are typically under-represented in Seattle elections and politics. These communities included Hispanic/Latino, Chinese, Vietnamese, Asian/Pacific Islander, East African/Somali, Black/African American, and Native Americans.

BERK conducted two focus groups in February and April 2018 with the Community Liaisons who conducted direct outreach. The first focus group discussed the DVP objectives and the Liaisons' work to support the program through engagement activities. Questions focused on the outreach strategies employed, and observations on what approaches and messages that supported participation in the DVP, identifying barriers to participation, and suggestions for improvements and lessons learned. Eight liaisons

participated.

The second focus group was held as a debrief discussion with Community Liaisons who helped to distribute the abbreviated paper version of the online survey (discussed below). Community Liaisons were asked to share how they distributed the survey and overall impressions they heard from survey participants. Six liaisons attended the focus group, and one liaison submitted written feedback to the discussion questions.

*Community-Based Organizations*

A focus group was held in March 2018 with representatives from community-based organizations that conducted direct outreach to encourage voucher use. Three organizations participated in this focus group, including a volunteer from the Skyline Retirement Community located in the First Hill neighborhood, a staff member at Chinese Information Services Center (CISC) in the Chinatown ID neighborhood, and the Win-Win Network, whose mission is to advance social and economic equity through political power building throughout Washington State.

*City Customer Service Centers/Service Bureau*

Using a paper questionnaire, the project team asked for feedback from City of Seattle staff who worked at neighborhood Customer Service Centers (CSC) and the Customer Service Bureau (CSB) locations where residents could return vouchers in person. The CSCs/CSB return option accounted for a very small number of overall voucher returns – less than 2% -- but they were a very engaged staff who had several questions at our trainings, were eager to learn about the program, often interacted with the public and answered questions about vouchers. The questionnaire asked staff to comment on who the characteristics of who they heard from in the community, what questions or comments about the DVP came up frequently, and thoughts on the community’s general reaction to the DVP. BERK received completed paper questionnaires from 17 staff members.

*Surveys of Seattle Residents*

BERK developed a survey to measure public awareness of the DVP and perspectives about the program. The survey was distributed to Seattle residents via three different distribution channels in order to elicit feedback from three different populations. Responses from each distribution channel were collected and analyzed separately unless

*Representative Survey*

To conduct a statistically valid survey of Seattle residents, BERK worked with [Precision Sample](#), a market research firm that maintains large panels of individuals who agree to take online surveys for small monetary incentives. Precision Sample maintains and verifies demographic and socioeconomic profiles for each of its panelists, including home locations. This enables them to solicit and collect a geographically targeted pool of survey responses from individuals who are representative of the Seattle population based on race/ethnicity, gender, and household income. BERK and Precision Sample used several quality control techniques such as tests for response consistency and verification of home location within the City of Seattle to remove unreliable survey responses.

**930 Total Survey Responses**

- **524** Representative Survey
- **115** DVP Follower Survey
- **291** Community Liaisons Outreach



524 Seattle residents completed the survey. Since the sample pool are internet users, the respondents are not necessarily representative of Seattle residents who do not use, or have access to, the Internet.

### *DVP Followers Survey*

SEEC distributed the DVP survey through its website and social media channels. An invitation to complete this survey was also emailed to DVP advisory committee members and community-based organizations that have previously been engaged in DVP outreach. The invitation was then retweeted and snowballed through various email and social media channels.

These survey takers were self-selected and much more likely to have had previous experiences with the DVP. Therefore, they are not considered representative of the general population. Many of these respondents may also have been motivated to complete the survey based on strong feelings about the DVP.

### *Community Liaison Outreach Survey*

SEEC engaged with the City of Seattle Department of Neighborhoods Community Liaisons to distribute an abbreviated paper version of the survey via direct outreach in several communities of color that are typically under-represented in Seattle elections and politics. While no interested survey-takers were turned away, Liaisons focused their outreach to the following communities: East African/Somali, Chinese, Vietnamese, Native American, Black/African American, and Hispanic/Latino communities in Seattle. Neighborhoods included West Seattle, North/Northeast Seattle (Wedgewood, View Ridge), South Seattle, New Holly, and the Central District.

## QUANTITATIVE DATA ANALYSIS

BERK analyzed data from the following sources:

- ❑ Voucher tracking and usage data obtained from SEEC.
- ❑ Historic campaign contributor and independent expenditure data from SEEC.<sup>31</sup>
- ❑ Washington State Voter Registration Database from Washington Secretary of State.
- ❑ U.S. Census 2012-2016 American Community Survey 5-Year Estimates.

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<sup>31</sup> BERK also leveraged previous analysis of SEEC data by Win/Win Network to establish the identity and number of unique campaign contributors in 2015 and 2017.







**Seattle**  
Ethics & Elections  
Commission



# **DEMOCRACY VOUCHER PROGRAM**

## **BIENNIAL REPORT 2017**

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# "Seattle is the first city in the nation to put democracy vouchers in the hands of its residents."



## Wayne Barnett

Executive Director  
Seattle Ethics and Elections Commission

I am pleased to present the first biennial report for the Democracy Voucher Program. After the citizen-led initiative known as the Honest Elections Seattle initiative passed in November 2015, our Commission quickly geared up to administer this brand-new program. In 10 short months, we designed and implemented a program with no parallel in the world. It was an honor to have the trust of the public to administer this first-of-its-kind public finance program.

The Seattle Ethics and Elections Commission is committed to upholding the spirit of the initiative throughout the implementation and administration of the Democracy Voucher Program. The initiative set the framework for how we implemented the program and strategically reached Seattle residents. The purpose of the initiative was to give more Seattle residents the opportunity to have their voices

heard in our democracy, to preserve values of accountability and transparency in Seattle campaigns, and to encourage more Seattle residents to support their candidates or even to consider running for office themselves.

I am proud to say, after the first-year of implementing the Democracy Voucher Program, we achieved the following:

- Successfully launched a brand-new program and mailed Democracy Vouchers to 540,000 Seattle residents, meeting the January 3, 2017 launch date.
- Provided all key program communications in 15 languages.
- Successfully tracked and processed 80,000 vouchers while fully accounting for \$1.04 million in candidate distributions.
- Facilitated a 300% increase in the number of Seattle residents contributing to campaigns.
- Attracted five of the six general election candidates to participate in the program.

After the first year, it is safe to say we learned many lessons. We are excited to use this year's experiences to improve for the 2019 election and continue engaging more Seattle residents in the election process.





## INTRODUCTION

This biennial report includes a summary of the administrative processes and program results from the initial implementation of the Democracy Voucher Program (DVP). In 2017, the races eligible for DVP funding included the two at-large city council positions and the city attorney's position. The program will expand to include the mayor's race in 2021.

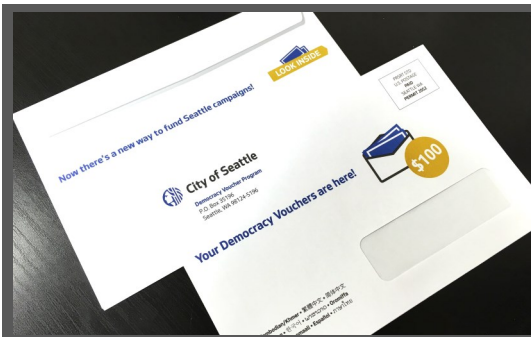
## PROGRAM BACKGROUND

In November 2015, Seattle voters approved a citizen-led initiative known as "Honest Elections Seattle" (I-122). Among the several campaign finance reforms I-122 initiated, one of the major reforms led to the creation of a new public campaign finance program known as the "Democracy Voucher Program." I-122 required the Seattle Ethics and Elections Commission (SEEC) to implement and administer the DVP with a high

degree of transparency and accountability. The DVP is funded by a 10-year property tax levy of three million dollars per year. The intended goals of the program were to increase the number of contributors in Seattle and increase the number of candidates who run for office. The City of Seattle is the first municipality to implement this innovative public campaign finance program.

The SEEC is an independent nonpartisan commission that enforces the ethics, elections, whistleblower, and lobbying municipal codes for the City of Seattle.

## KEY ACCOMPLISHMENTS



### SUCCESSFUL LAUNCH

In under 10 months, implemented the nation's first ever Democracy Voucher Program, meeting the January 3, 2017 launch date.

### TRANSLATED MATERIALS

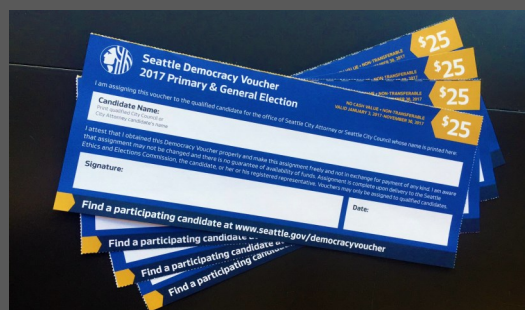
Provided all key program communications in 15 languages.



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Oromiffa • русский язык • af Soomaali • Español • עברית • Tiếng Việt



### TRACKED ALL VOUCHERS

Successfully tracked and processed 80,000 vouchers while fully accounting for \$1.04 million in candidate distribution.

### CANDIDATE PARTICIPATION

Attracted five of the six general election candidates to participate in the Program.

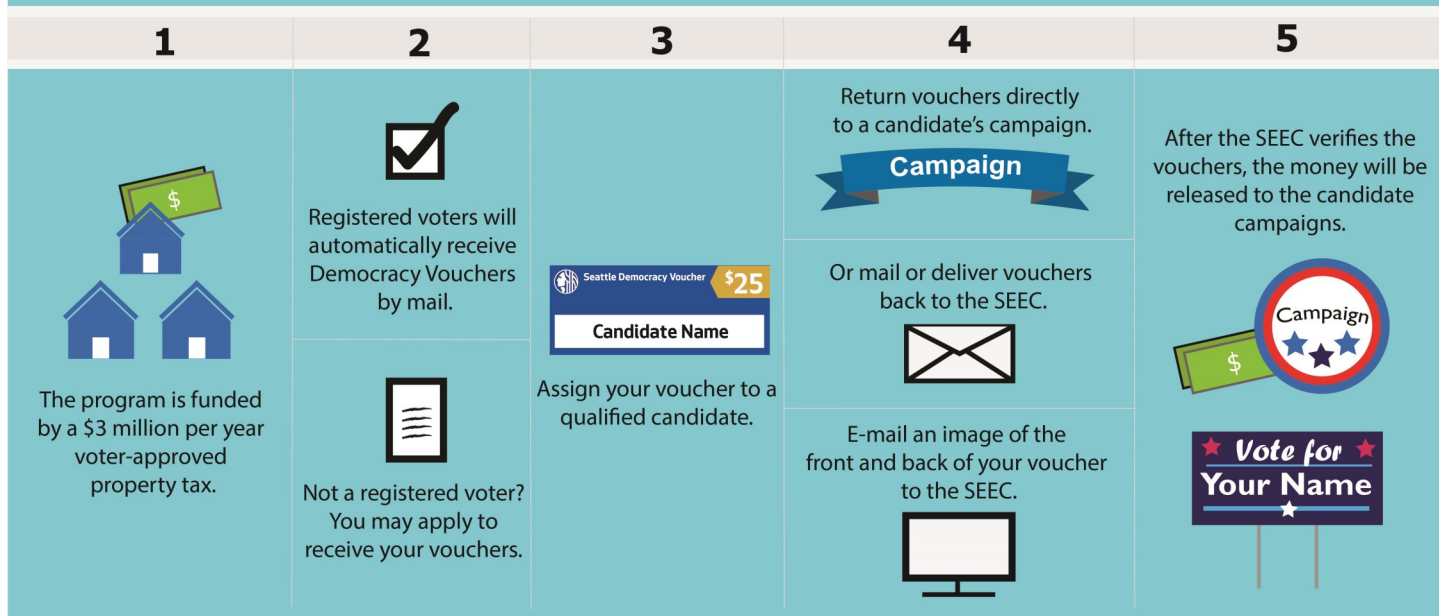


### MORE SEATTLE CONTRIBUTORS

Increased the number of Seattle contributors by 300% in 2017.



## HOW DOES THE DEMOCRACY VOUCHER PROGRAM WORK?



During the City of Seattle election year, residents receive four \$25 Democracy Vouchers from the SEEC. Residents assign their voucher(s) to any candidate(s) participating in the program. Seattle residents then return voucher(s) to the SEEC by mail or e-mail, or return them directly to a campaign. Once the voucher has been validated and after the candidate has completed the qualifying process, the SEEC releases the value of the voucher to the candidate's campaign.

### PARTICIPANT ELIGIBILITY

Participant eligibility requirements align with the federal requirements establishing who may contribute to political campaigns. To participate in the Democracy Voucher Program, an individual must be:

- At least 18 years or older,
- A U.S. citizen, foreign national, or lawful permanent resident, and
- A Seattle resident.

The SEEC receives participant data from two sources.

1. Under an agreement with King County Elections (KCE), the SEEC receives the list of all registered voters in Seattle.
2. Residents who are not registered can apply to receive their vouchers. In designing the application process, the SEEC considered several competing priorities, primarily the City's directive to limit the amount of personally identifying information collected, Seattle's very open public disclosure laws, the need to ensure that vouchers are not distributed to ineligible residents, and the desire to protect residents who are ineligible to participate from inadvertently violating federal law. These factors compounded the complexity inherent in reaching out to Seattle's diverse language and cultural communities.

The Democracy Voucher Program staff consulted

with stakeholders to ensure the application was designed to present a low barrier to entry while protecting both public funds and those who are ineligible to make a contribution. The following groups contributed significantly to the development of the application:

- Northwest Immigrants' Rights Project
- City of Seattle Attorney's Office
- Democracy Voucher Program Advisory Committee
- City of Seattle IT Privacy Group

## **IMPLEMENTATION & ADMINISTRATION**

### **Establish Resident Communication Channels**

#### **Language Services**

I-122 requires key program materials to be made available in 15 languages: Amharic, Cambodian, English, Korean, Lao, Oromo, Russian, Simplified Chinese, Somali, Spanish, Tagalog, Thai, Tigrinya, Traditional Chinese, and Vietnamese. Key documents included informational mailers, the Democracy Voucher packet, candidate qualifying documents, resident application, dedicated language web pages, advertisements, and posters.

In all, 21 pages of key materials were translated for a cost of \$42,000.

#### **Democracy Voucher Hotline**

The Democracy Voucher Hotline (206-727-8855) received 1,622 calls from December 2016 to

December 2017. January saw the highest number of incoming calls by far, with 470 calls.

Seventy-three calls requesting language assistance were placed to the hotline in 2017, totaling 700 minutes for a total cost of \$518. Languages served included Vietnamese, Cantonese, Mandarin, Russian, Amharic, Spanish, Korean, Somali, Oromo, Tagalog, Laotian, and Arabic.

#### **Program Website**

In 2017, there were 2,312,845 page views of the program website and 1,848,199 unique views of the program website.

The program website included language pages translated in 15 languages offering information about eligibility, how to apply, how to run as a candidate, and how to use the program.

#### **Social Media**

The program used Facebook and Twitter to disseminate information quickly to Seattle residents and media outlets.

In 2017, the program spent \$1,000 purchasing Facebook advertisements to connect residents with information about participating candidates, how to apply, how to request replacement vouchers, and where outreach events occurred in Seattle neighborhoods.

#### **Focus Groups**

With guidance from the program Advisory

Committee, the SEEC identified a vendor and four communities to conduct focus groups designed to:

- Determine a baseline knowledge or awareness of the Democracy Voucher Program and Honest Elections Initiative (or I-122).
- Improve the messaging and design of the vouchers and an introductory mailer.
- Inform the messaging, design, and the communications strategies of the program.

The focus groups were conducted in English, Somali, Spanish, and Vietnamese. Some key findings were:

1. The majority of focus group participants (65%) had never contributed to a candidate or campaign.
2. Ninety-five percent had never heard of the Democracy Voucher Program.
3. Reaction to the program ranged from excitement to skepticism.
4. Many participants wanted to know more about the purpose of the program and how it was funded.



Programmatic impacts included:

- Enlarged the City of Seattle logo and added the dates the vouchers could be used.
- Refined program messaging such as adding the word "local" to the phrase "a new way to fund local campaigns" and included more information about the program's purpose.
- Participants also shared that some individuals might wrongly believe that vouchers are a new way to vote, which influenced program messaging in presentations and conversations with the public.

### **Open Registration**

In December 2016, the SEEC opened registration to all Seattle residents, focusing on resident communities who may not be part of the initial voucher distribution. In total, only six applications were received from this December effort.

Press releases went out to over 150 media contacts and local media purchases included Real Change, Somali Runta News, International Examiner, a PSA with Chinese Seattle Radio in Mandarin, and Northwest Vietnamese News.

Several local ethnic media and local media outlets covered this event at no cost.

### **Informational Mailer**

Also in December, the SEEC sent an informational mailer to 340,000 Seattle residential addresses. The

mailer introduced the program to Seattle residents as well as invited residents to apply for vouchers who might not be on the initial voucher distribution list. The mailer included the statement below, translated into 14 languages, and contained a link to a language-specific landing page on the program website.

*"Beginning January 2017, the new Democracy Voucher Program makes it easier to participate in local elections. To learn more or apply, visit [www.seattle.gov/democracyvoucher/\[language\]](http://www.seattle.gov/democracyvoucher/[language])."*



## Technology and Administration

### Voucher Tracking and Accountability

The SEEC worked with Seattle IT to identify a technology solution able to track the progress of vouchers from distribution to redemption and to set up a program Steering Committee.

Steering Committee members included City representation from the Mayor's office, the Office of Immigrant and Refugee Affairs, City Budget Office

and Finance and Administrative Services, as well as Council central staff.

Early efforts to locate a secure and accountable tracking system were met with issues of high cost and/or long lead time for development of this unique program. The system had to be in production by December 2016 to generate more than two million unique vouchers and get the print file off ready for the January 3, 2017 mailout date.

Requirements included:

- Accurate voucher tracking from the time of initial generation and delivery, to the return of the voucher to SEEC for processing, and through assignment to a campaign or other status.
- Provide transparent data for external review and analysis of program participation.
- Establish rule checking and error handling to identify duplicate, incomplete, or erroneous data.
- Ensure system security is auditable, able to provide notification of access as well as notification and refusal of unauthorized access.

The SEEC selected a technology vendor and finalized requirements by July 2016. The system was in production on time and successfully generated and accounted for over two million vouchers.

Combined costs for technology solution and staffing were under \$300,000.

## Voucher Printing and Mailing

Another significant implementation project was selecting a vendor to assist with designing, printing, and mailing more than 500,000 voucher packets to Seattle residents.

Vendor requirements included:

- Print, mail, and deliver Democracy Vouchers to participants through a partnership with the United States Postal Service.
- Print and prepare Democracy Vouchers for on-time mailing to participants.
- Ensure that Democracy Vouchers were accurate, legible, and the barcodes were machine readable.

The SEEC worked with City purchasing to identify potential vendors. The winning bid was awarded to a Women and Minority Business Enterprise, for a contract valued at \$350,000. The vendor met all mail out deadlines.

Democracy Voucher printing and mailing services totaled \$358,000.

## Office and Staffing

With the Democracy Voucher Program added to the SEEC's existing responsibilities, staffing and space needs grew by nearly half. A program manager was hired February 2016 and two public relations specialists were hired in June. By October, the team had moved into a newly constructed space that allowed for additional temporary staffing and voucher processing.

Office construction costs totaled \$250,000 and two-year staffing costs totaled \$687,000.

## DISTRIBUTING DEMOCRACY VOUCHERS

In the initial distribution of Democracy Vouchers, the SEEC mailed more than two million Democracy Vouchers to more than 508,000 Seattle residents on January 3, 2017. The SEEC mailed vouchers to new Seattle residents through October.

Cumulatively, the SEEC distributed Democracy Vouchers to a total of 546,258 residents in 2017, including 187 Seattle residents who applied for Democracy Vouchers.



## Printing and Mailing Paper Vouchers

The SEEC mailed the majority of vouchers through a vendor and also had the ability to issue and mail vouchers on demand.

Each packet that was mailed contained:

- A 6x9" outbound envelope with a window for the resident name and address.
- One Business Reply Mail (BRM) envelope with which the resident could return their vouchers postage paid.



- An informational sheet explaining how to use the vouchers as well as a statement in 15 languages describing where to find materials in additional languages.
- An 11x17" sheet containing answers to frequently asked questions as well as four vouchers, perforated for easy separation.

The average cost to print and mail a paper voucher packet was \$0.63.

### **Replacement Voucher Options**

The SEEC and campaigns facilitated voucher replacements for residents who no longer had their vouchers.

Residents could request replacements by phone/e-mail, a webform, or in person. Residents provided minimal information including name, date of birth, and e-mail/mailling address. The SEEC then used this information to determine if the resident was still eligible for vouchers and if so, issued the replacements immediately.

- The SEEC reissued 13,000 Democracy Vouchers to 3,500 Seattle residents. Of those, 8,500 replacement vouchers were returned for a 65% return rate.
- Over 550 Seattle residents accessed a web-based replacement form.
- Another 208 residents completed replacement requests in person through staff outreach at community events.

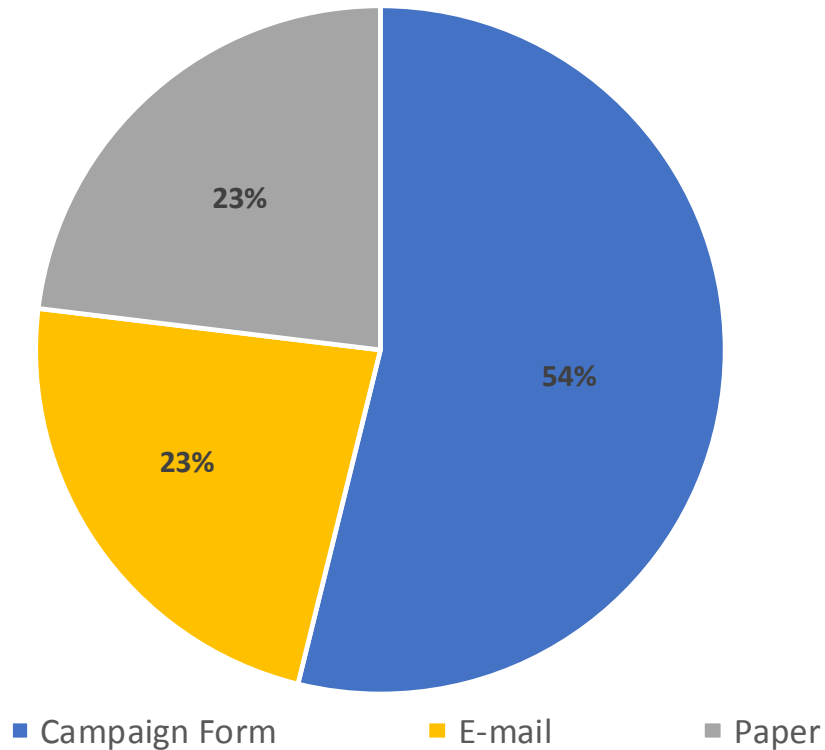


Campaigns had the option of using a Democracy Voucher Replacement Form for campaigns. This option was developed with input from campaigns, local community groups, and members of the program's Advisory Committee.

Campaigns and their registered representatives used this form to facilitate an immediate replacement option when interacting directly with residents. Completed forms were returned to the SEEC and processed using the same standards as regular vouchers. Fifty-four percent of replacement vouchers were completed through a campaign form.

Campaigns interacted with 2,071 residents using this form, collecting 7,192 vouchers.

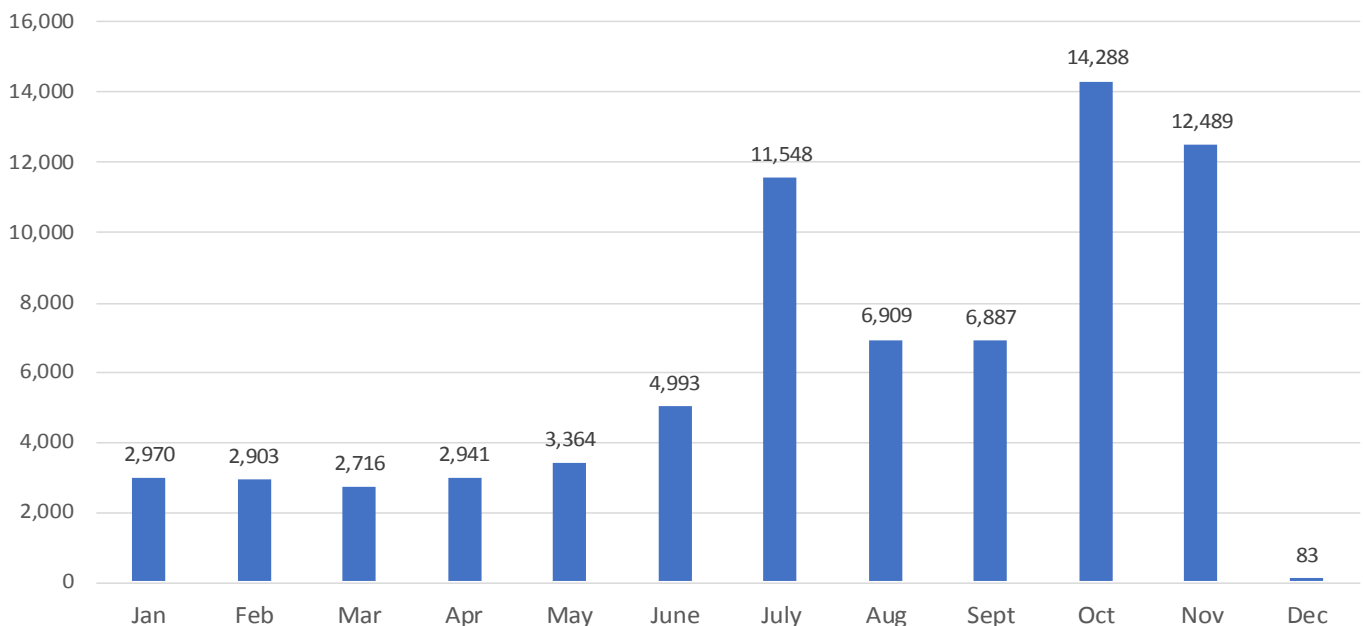
## Replacement Democracy Vouchers by Type



## Returned Democracy Vouchers

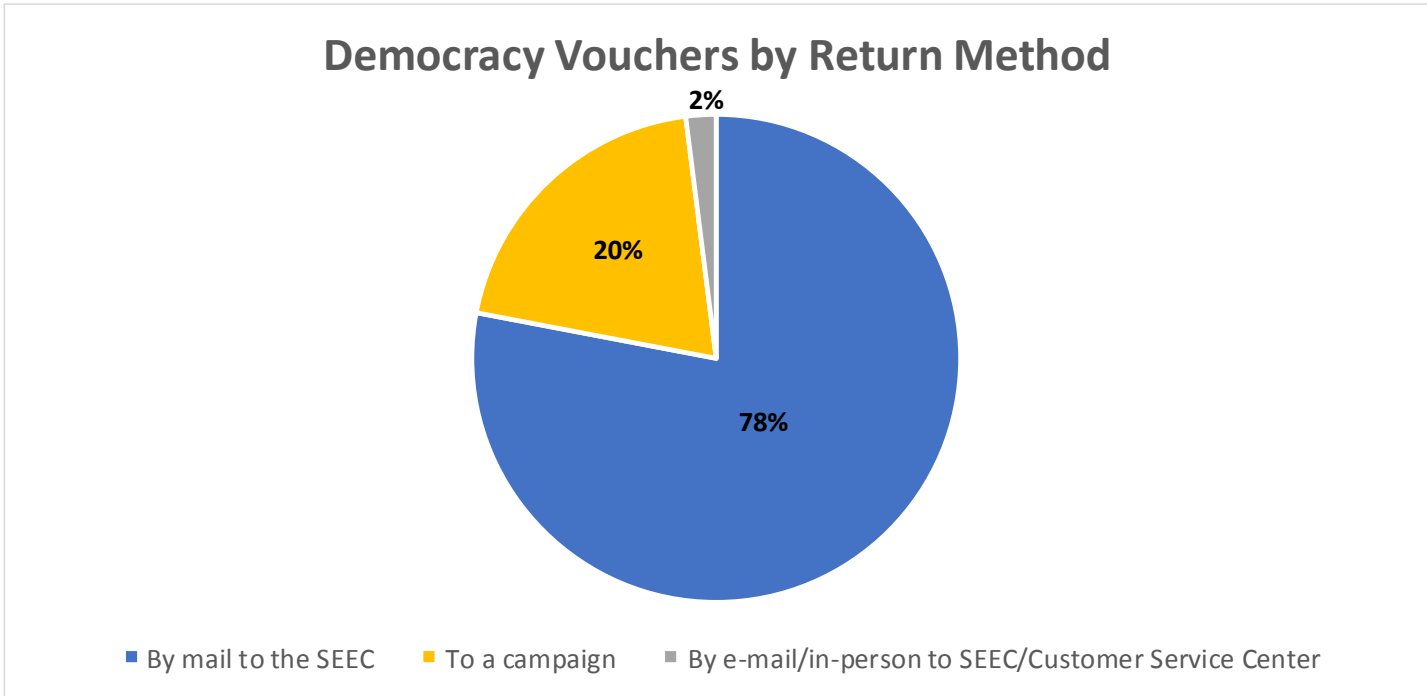
Voucher returns peaked just before the primary and general elections. The chart below tracks vouchers assigned to participating candidates through 2017. In 2017, Seattle residents assigned 72,091 vouchers. This number does not include vouchers returned to a non-participating candidate.

## Democracy Vouchers Received by Month



Residents had several options to return vouchers. Residents used the postage-paid envelope, returned an image of the voucher by e-mail, or handed their vouchers directly to a campaign.

Seventy-eight percent of Seattle residents returned their vouchers using the postage-paid envelope. Over 16,000 BRM envelopes were returned at \$0.56 per envelope. Twenty percent of vouchers were returned directly to campaigns and the remaining two percent of vouchers were returned in person/by e-mail to the SEEC office or delivered to a City of Seattle Customer Service Center.





# Democracy Voucher Program: Participation by City Council District

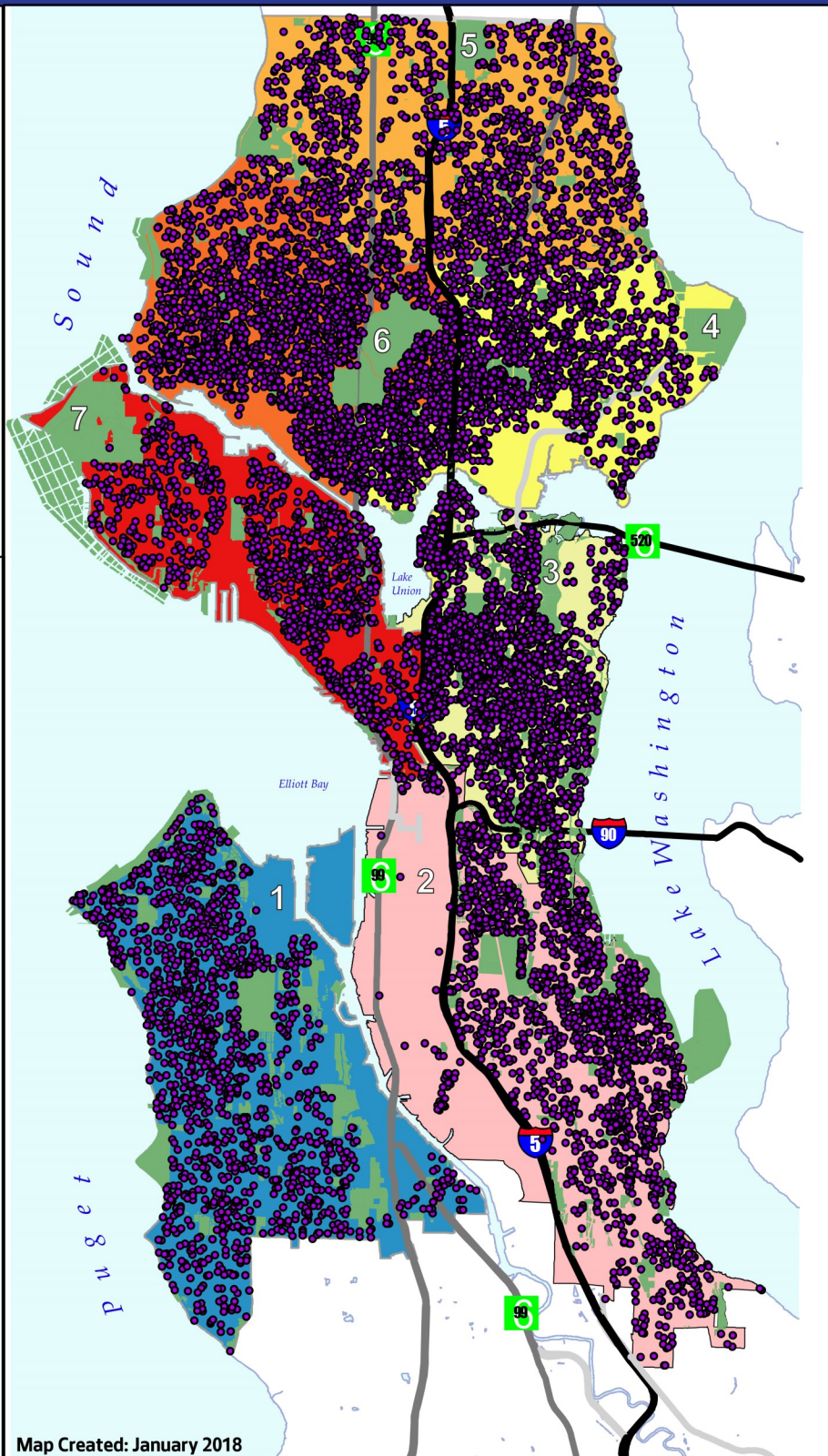


**Seattle**  
Ethics & Elections  
Commission

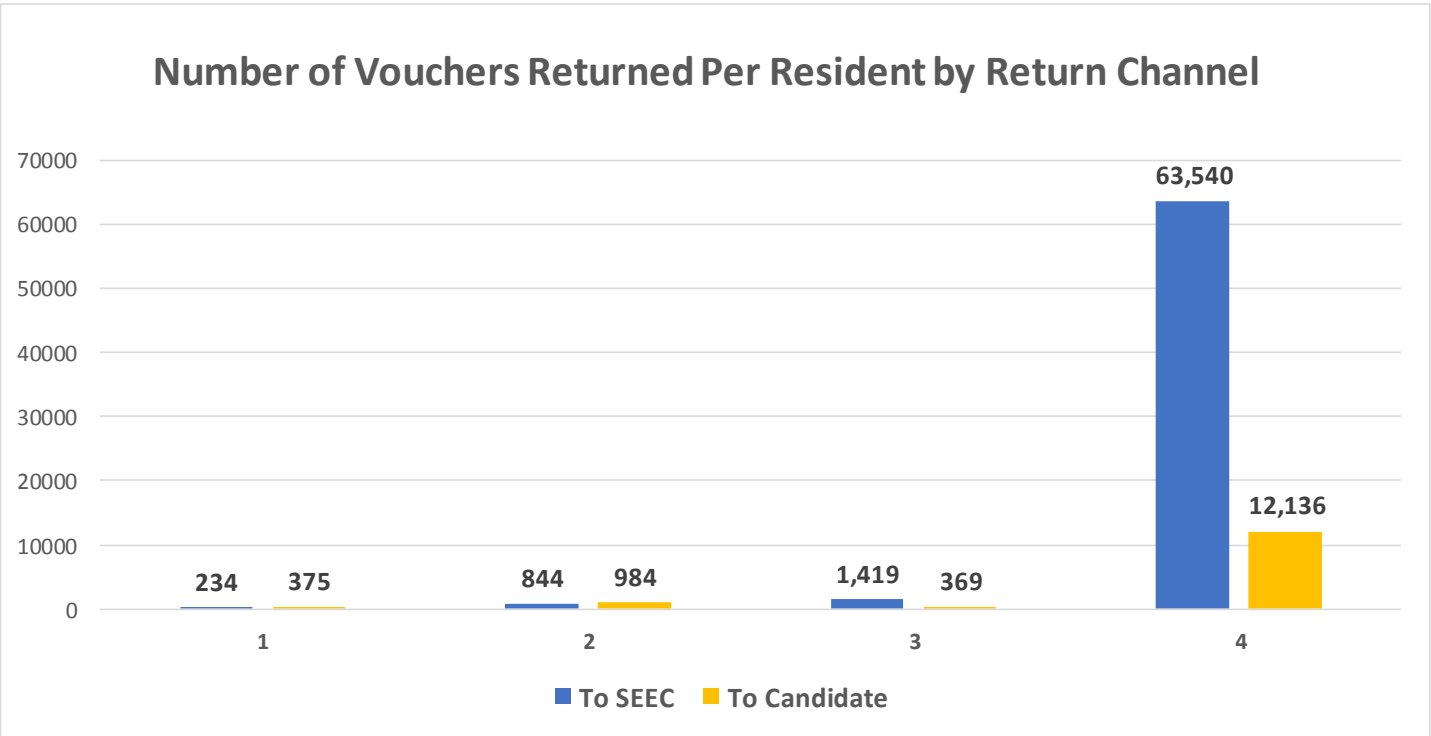
This map shows Seattle residents who submitted at least one Democracy Voucher to a participating candidate.

## Legend

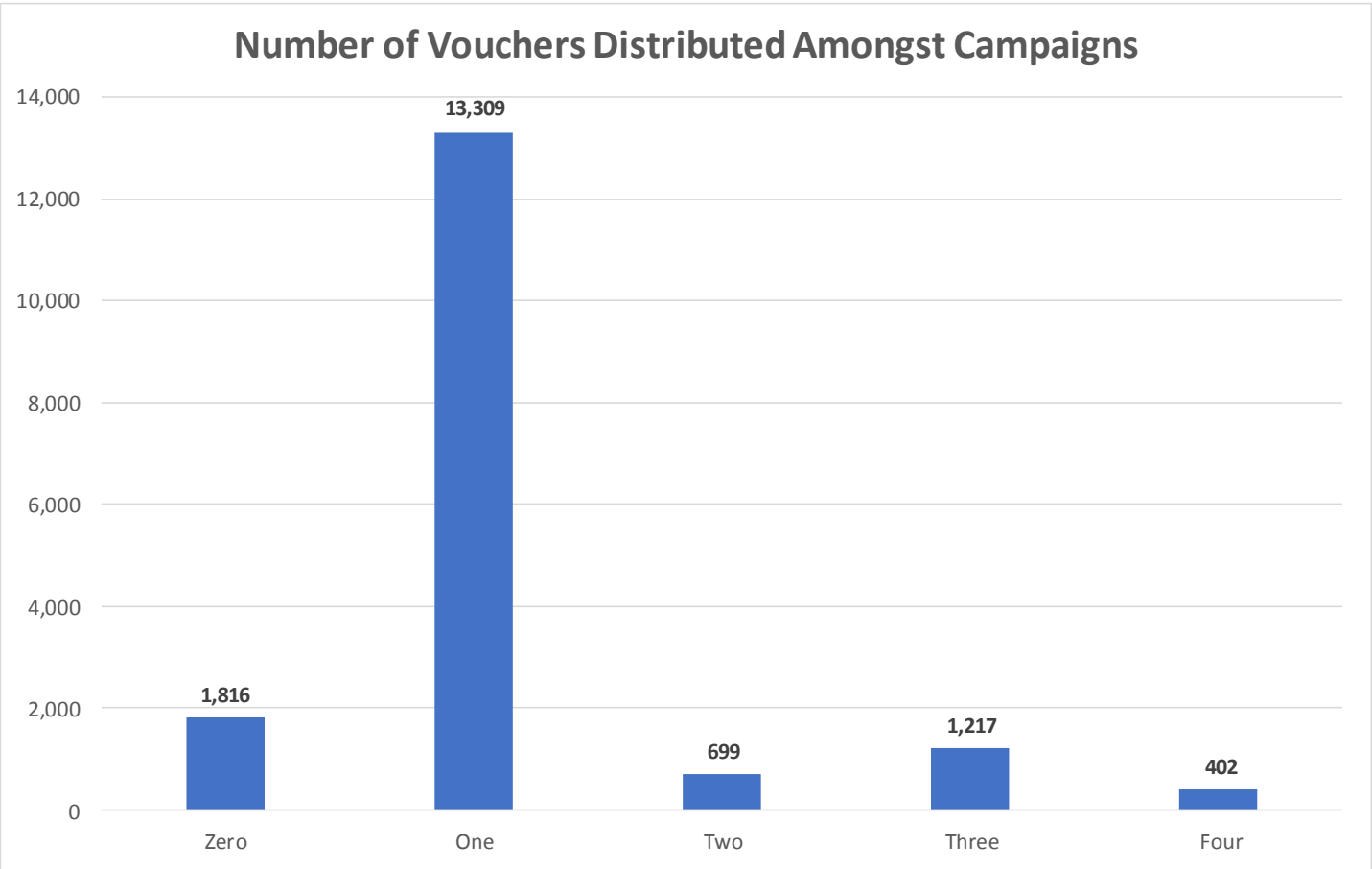
- Democracy Voucher Participant
- Parks
- Waterbodies
- 520
- 99
- I-5
- I-90
- Council District 1  
2,172 residents participated
- Council District 2  
2,664 residents participated
- Council District 3  
3,731 residents participated
- Council District 4  
2,627 residents participated
- Council District 5  
2,141 residents participated
- Council District 6  
3,326 residents participated
- Council District 7  
2,413 residents participated



Vouchers were returned from all over the city and there was representation from all seven council districts. The map shows the number of Seattle residents who returned at least one voucher.



Participants had the option of returning 1, 2, 3, or all four vouchers. The majority of participants returned all four.



Participants could assign their vouchers to a single candidate or distribute among multiple candidates. Seventy-six percent of participants gave all four vouchers to a single candidate.

## Processing Vouchers

In addition to regular program staff, three temporary staff were hired to process vouchers.

After receiving vouchers at the SEEC, staff scanned the voucher's barcode and updated the participant's record in the Democracy Voucher database. From there, the voucher was either delivered to King County Elections, where the signature was checked against the voter registration record, or was checked by the SEEC against the signature on an individual's program application. After verification, the participant's record was updated with the result.

Ninety-eight percent of vouchers were accepted on the first pass. Most of the remaining two percent were signatures that did not match. The SEEC notified participants of the issue and provided an opportunity to respond.

- Timely file the declaration of candidacy.
- Agree not to accept contributions from any individual or entity in excess of \$250, not including \$100 in vouchers.
- Abide by campaign spending limits.
- Participate in at least three public debates or similar events each for the primary and general elections.
- Agree not to solicit money for or on behalf of any political action committee, political party, or any organization that will make an independent expenditure for or against any City of Seattle candidate during the current election cycle.

Once pledged, the candidate's name appears on the SEEC website and hotline as an eligible candidate able to receive assigned vouchers from residents.

Participating candidates are also subject to contribution and spending limits.

In 2017, 17 City of Seattle Candidates pledged to participate in the Democracy Voucher Program.

## CANDIDATES

### Pledging

To participate in this program and collect Democracy Vouchers, candidates must first sign a program pledge, agreeing to program rules including:

<b>Democracy Voucher Program Contribution and Expenditure Limits</b>	<b>City Attorney</b>	<b>City Council At-large</b>	<b>City Council District</b>	<b>Mayor (2021)</b>
Individual Contribution Limit*	\$250*	\$250*	\$250*	\$500
Campaign Expenditure Limits Primary Election Only	\$75,000	\$150,000	\$75,000	\$400,000
Combined Campaign Expenditure Limits for Primary and General Election	\$150,000	\$300,000	\$150,000	\$800,000

\*These limits do not include Democracy Voucher values.

## Qualifying

To receive funds, candidates must complete a qualifying process, collecting a minimum number of qualifying contributions between \$10 and \$250 from Seattle residents who are eligible to make campaign contributions. After collecting the required number of qualifying contributions, campaigns deliver the lists of names/ contributions to the SEEC.

Candidate Position	City Council At-large	City Council District	City Attorney	Mayor
Number of Contributions	400	150*	150	600

*\*Half (75) of the 150 qualifying contributions for the City Council District position must come from within the district.*

Two audits are performed by the SEEC:

- Review campaign filings to ensure the contribution was at least \$10.
- Confirm the individual is a Seattle resident who made the contribution. For 2017, campaigns collected a contributor signature that was submitted to King County Elections to confirm the named individual made the assignment and resides in Seattle.

Candidate	Position	Pledge Signed	Date Qualified	Weeks to Qualify
Pete Holmes	City Attorney	12/7/2016	2/8/2017	9
Jon Grant	City Council Pos. 8	11/30/2016	2/10/2017	10
Mac Scotty McGregor	City Council Pos. 8	1/6/2017	N/A	-
Teresa Mosqueda	City Council Pos. 8	1/6/2017	3/2/2017	8
Sheley Secrest	City Council Pos. 8	1/13/2017	N/A	-
Hisam Goueli	City Council Pos. 8	1/30/2017	07/28/2017	26
Jennifer Huff	City Council Pos. 8	2/15/2017	N/A	-
Rudy Pantoja Jr	City Council Pos. 8	4/7/2017	N/A	-
Roger Kluck	City Council Pos. 9	1/6/2017	N/A	-
Lorena González	City Council Pos. 9	1/9/2017	9/19/2017	36
Ryan Edward Asbert	City Council Pos. 9	1/13/2017	N/A	-
James Passey	City Council Pos. 9	2/22/2017	N/A	-
Eric Smiley	City Council Pos. 9	3/2/2017	N/A	-
Ian Affleck-Asch	City Council Pos. 9	5/11/2017	N/A	-
Pat Murakami	City Council Pos. 9	5/12/2017	8/11/2017	13
Pauly Giuglianotti	City Council Pos. 9	5/19/2017	N/A	-
Ty Pethe	City Council Pos. 9	5/31/2017	N/A	-

In the first year, 13 Democracy Voucher Program Candidates appeared on the primary ballot and five appeared in the general election.

2017 Primary Candidates		
City Council Position 8	City Council Position 9	City Attorney
Hisam Goueli*	Eric Smiley	Pete Holmes*
Jon Grant*	Ian Affleck-Asch	Scott Lindsay**
Mac McGregor	Lorena González	
Rudy Pantoja	Pat Murakami	
Sheley Secrest	Pauly Giuglianotti	
Teresa Mosqueda*	Ty Pethe	
Charlene Strong**	David Preston**	
Sara Nelson**		
2017 General Election Candidates		
City Council Position 8	City Council Position 9	City Attorney
Jon Grant*	Lorena González*	Pete Holmes*
Teresa Mosqueda*	Pat Murakami*	Scott Lindsay**

\*Qualified to receive Democracy Voucher funds      \*\*Not a Democracy Voucher Program Candidate

## Campaign Disbursements

I-122 requires the SEEC set a budget ensuring that for any given election year, the program can fully fund six candidates per race. For 2017, \$3 million of the budget was reserved for candidate disbursements.

During the 2017 election cycle, the SEEC generated 64 invoices and distributed more than one million to campaigns. The unused voucher funds remain in the program budget for future election years.

Candidate Name	Candidate Position	Vouchers Redeemed	Total
Hisam Goueli	City Council Position 8	1,102	\$27,550
Jon Grant	City Council Position 8	12,000	\$300,000
Teresa Mosqueda	City Council Position 8	12,000	\$300,000
Lorena González	City Council Position 9	8,527	\$213,175
Pat Murakami	City Council Position 9	6,107	\$152,675
Pete Holmes	City Attorney	5,885	\$147,125
<b>Total</b>		<b>45,621</b>	<b>\$1,140,525</b>

## Advisory Committee

The purpose of the Advisory Committee is to provide the SEEC staff with input on program implementation, communications, outreach, and evaluation. Committee members met 13 times beginning in 2016 and throughout 2017. Topics included whether to provide a postage-paid envelope with the voucher mailing, communication strategies for Seattle resident communities, the voucher application form, voucher packet design, and designing the campaign replacement form.

The Advisory Committee is responsible for:

- Advising the SEEC staff on program and policy design to ensure compliance with applicable policies and the intent of the initiative;
- Providing recommendations for program implementation alignment with participation and access for diverse community groups;
- Advising and informing program outreach and communication;
- Planning for and advising on program evaluation;
- Participating in design and user acceptance testing;
- Attending meetings regularly; and
- Representing a variety of local community organizations.

Advisory Committee member organizations have included:

- Sightline Institute
- League of Women Voters
- Chief Seattle Club
- LGBTQ Allyship
- The Seattle Public Library
- Latino Community Fund
- King County Elections
- Asian Counseling and Referral Service
- Washington Democracy Hub
- Washington CAN
- Municipal League of King County
- Washington State Public Disclosure Commission
- Win/Win Network



## Outreach

### Candidates and Campaigns

Beginning in late 2016, Democracy Voucher Program staff met individually with campaign consultants and treasurers to discuss implementation efforts and understand these groups' unique concerns. During the election, each candidate met with Campaign Finance Auditor and Trainer Polly Grow to learn about campaign finance rules and the Democracy Voucher Program. Democracy Voucher Program staff sent frequent communications to candidates via e-mail, held call-in question-and-answer sessions, and maintained an open-door policy for individual campaign consultations with candidates and/or staff.

### Residents

To communicate with Seattle residents, DVP staff employed several strategies:

- Conducted four focus groups in English, Spanish, Somali, and Vietnamese in October 2016 to determine best strategies for program messaging and inform the December 2016 mailer designed to announce the coming voucher program.
- Targeted community groups that have not traditionally been included in the political process, focusing both on attending events in specific communities and collaborating with organizations that serve those communities. SEEC provided 25,000 pieces of program documents and postage-paid envelopes to organizations serving these communities.
- Partnered with the City of Seattle's Department of Neighborhoods (DON) Community Liaison program to inform and perform targeted outreach. Attended 13 multilingual "Community Conversations," with organizations such as Cham Refugee Center and the Ethiopian Community Center.
- Additionally, program staff conducted a mid-year focus group with Community Liaisons both to familiarize Community Liaisons with the program and to receive feedback about program messaging.
- Hosted the 2017 candidate forum, "Our Seattle: Meet the Candidates," in partnership with Rainier Beach Action Coalition, Town Hall Seattle, The Municipal League of King County, Washington Bus, and The Seattle Public Library. Provided ASL and interpreter services. More than 130 Seattle residents attended, and the event was live streamed and recorded for later viewing. To publicize the event, the SEEC purchased advertisements with seven ethnic media outlets for \$1,425. Advertisements included print, social media, newsletters, and web advertisements. The target audiences included Chinese, Vietnamese, Somali, LGBTQ, and South Seattle residents.

- The Democracy Voucher Program employed several strategies to outreach to lawful permanent residents (LPRs), also known as "green card holders." The SEEC tailored program materials such as the informational mailer sent to all Seattle households in December 2016 with translated messages, distributing materials in bulk to organizations that work with immigrants and refugees, such as the Northwest Immigrants' Rights Project, and staffing events such as the Office for Immigrant and Refugee Affairs (OIRA)'s New Citizen Workshops. The SEEC worked with OIRA's New Citizen Program, a consortium of 12 community-based organization partners. The New Citizen Program provides free naturalization services to immigrants and refugees living in Seattle/King County who are low-income, elderly, illiterate, or have limited English skills.

In total, staff attended 101 events to increase public awareness, distributed program materials, and answer questions from Seattle residents.

## Media Campaigns

### Media Launch

During the initial launch of the Democracy Voucher Program in December 2016 and January 2017, the SEEC staff purchased a series of advertisements with 13 ethnic media outlets for \$8,583. Advertisements included print, web, and social media.

The advertisements were directed toward the following audiences: low-income, API, LGBTQ, East

African, Latinx, and South Seattle communities.

Advertisements were translated in Chinese, Korean, Somali, Spanish, and Vietnamese.

The SEEC staff wrote and widely distributed press releases to traditional media outlets, neighborhood blogs, and ethnic media.

### Mid-Year Replacement Voucher Media Campaign

In June 2017, the SEEC staff launched a mid-year campaign to remind Seattle residents to use their vouchers and provide information about requesting replacement vouchers. The media campaign included the following key messages:

- Missing your Democracy Vouchers? Call us or go online to request replacement vouchers.
- Find the list of candidates who can accept Democracy Vouchers on our website.
- Apply to receive your Democracy Vouchers.

The SEEC staff purchased advertisements with 18 ethnic media outlets and eight general market outlets. Advertisements included television, print, web, and social media.

Advertisements were directed toward the following audiences: African American, API, Latinx, LGBTQ, Russian, Somali, South Seattle, and low-income communities.

Advertisements were also translated into Chinese, Vietnamese, Korean, Somali, Spanish, and Russian.

The mid-year media campaign cost \$44,876.





The SEEC collaborated with the Seattle Channel and DON and recorded one-minute public service announcements (PSA) in 15 languages. The PSAs aired and were made available on the Seattle Channel, local ethnic media channels, the DVP website, and social media.



### Posters in Seattle

The DVP placed over 400 promotional posters in Seattle neighborhoods between June and October 2017.

The mid-year messaging announced the final list of candidates and focused on three key messages:

- Missing your Democracy Vouchers? Call us or go online to request replacement vouchers.
- Find the list of candidates who can accept Democracy Vouchers on our website.
- Apply to receive your Democracy Vouchers.

During this time, the SEEC placed 100 posters in 20 neighborhoods in retail establishments (ex. cafes, restaurants, small locally-owned businesses). The total cost of this work amounted to \$350.

### Fall Community Targeting

Democracy Voucher Program staff placed a total of 247 posters at 202 locations in September and October 2017. Neighborhoods included South Park, West Seattle, Belltown, South Lake Union, University District, International District, North Beacon Hill, Georgetown, Phinney Ridge, Greenwood, Columbia City, Othello, Beacon Hill, Central District, Ballard, Fremont, Ravenna, Pioneer Square.

Poster languages included English, Spanish, Vietnamese, Traditional Chinese, Simplified Chinese, Somali, Amharic, and Tigrinya.

In total, the SEEC spent \$2,600 on printing and placing posters in business districts around Seattle.

Democracy Voucher Program Budget Summary Report	2016	2017
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Implementation		
Technology	\$263,200	\$36,000
Office construction	\$225,000	
Informational mailer	\$127,636	
Focus group	\$45,000	
Office hardware and supplies	\$25,000	
<b>Implementation Cost Total</b>	<b>\$685,836</b>	<b>\$36,000</b>

Administration		
Voucher production and mailing		\$358,000
Outreach media and materials	\$5,000	\$85,000
Technology		\$76,000
Translation	\$22,000	\$16,000
Outreach contracting and events		\$30,000
Program evaluation		\$30,000
King County Elections signature verification		\$18,500
Office supplies		\$8,700
Staff: Program staff	\$273,000	\$359,400
Staff: Temporary staff		\$55,000
<b>Yearly Administration Cost</b>	<b>\$300,000</b>	<b>\$1,036,600</b>

Candidates		
2017 Primary and General Election Disbursements		<b>\$1,140,525</b>

<b>Total Program Costs</b>	<b>\$985,836</b>	<b>\$2,213,125</b>
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Funding		
<b>Levy</b>	\$3,000,000	\$3,000,000
<b>Returned unused voucher funds</b>		\$34,958

# STEPHENS & KLINGE LLP

March 29, 2019 - 4:02 PM

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 96660-5  
**Appellate Court Case Title:** Mark Elster, et al v. The City of Seattle  
**Superior Court Case Number:** 17-2-16501-8

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